ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1980

PUBLISHED BY

Michael Joseph Connolly

SECRETARY OF STATE



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OF
Massachusetts

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The General Court, which was chosen November 7, 1978, assembled o
Wednesday the second of January 1980, for its second annual session.

His Excellency Edward J. King and His Honor Thomas P. O'Neill, III,
continued to serve as Governor and Lieutenant Governor respectively,
for the political year 1980.

TABLE

OF

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The following table of changes has 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.

Chap. 1. AN ACT EXTENDING THE TIME IN WHICH THE SOUTH ESSEX SOLID WASTE DISPOSAL DISTRICT MAY BE CREATED.

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

SECTION 1. The second paragraph of section 2 of chapter 770 of the acts of 1975, as appearing in section 1 of chapter 420 of the acts of 1977, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:-If a certificate of organization is not issued before March first, nineteen hundred and eighty-two, then this act shall become void.

SECTION 2. This act shall take effect as of December thirty-first, nineteen hundred and seventy-nine.

Approved January 30, 1980.

Chap. 2. AN ACT AUTHORIZING THE TOWN OF COHASSET TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO RICHARD SARGENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Cohasset is hereby authorized to appropriate and after such appropriation, the treasurer of said town is hereby authorized to pay to Richard Sargent, of said town the sum of nine hundred and seventy dollars for damages to his snowmobile resulting from its usage in rescue operations during a blizzard in February, nineteen hundred and seventy-eight.

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

Approved February 12, 1980.

Chap. 3. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO IMPLEMENT THE UNFUNDED PORTIONS OF THE COLLECTIVE BARGAINING CONTRACT WITH THE MASSACHUSETTS NURSES ASSOCIATION AT THE PLYMOUTH COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county treasurer of Plymouth county is hereby authorized to pay, with the approval of the county commissioners, the

unfunded portions of the collective bargaining contract between Plymouth county and the Massachusetts Nurses Association for the fiscal year July first, nineteen hundred and seventy-nine through June thirtieth, nineteen hundred and eighty, and to raise from available Plymouth county hospital funds an amount not to exceed thirteen thousand eight hundred dollars for such purpose.

Approved February 23, 1980.

Chap. 4. AN ACT AUTHORIZING THE TREASURER OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of Plymouth county, with the approval of the county commissioners of said county, is hereby authorized to pay certain unpaid bills, as set forth in a list on file in the office of the bureau of accounts in the department of revenue in an amount not to exceed eleven thousand six hundred forty-two dollars and eighty-one cents said amount to be paid from any available funds of said county.

SECTION 2. No bill shall be approved by the county commissioners of said county for payment, or paid by the county treasurer thereof, under the 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 or services 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 February 23, 1980.

Chap. 5. AN ACT AUTHORIZING THE COMMISSIONER OF BANKS TO CAUSE CERTAIN RECORDS OF LIQUIDATED BANKS IN HIS POSSESSION TO BE DESTROYED.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section thirty-five A of chapter one hundred and sixty-seven of the General Laws, the

commissioner of banks is hereby authorized to destroy or otherwise dispose of the records of liquidated banks presently stored at 1416 Hingham street in the city of Cambridge; provided, however, that such records stored at such location subsequent to December thirty-first, nineteen hundred and fifty shall not be disposed of or so destroyed.

Approved February 23, 1980.

Chap. 6. AN ACT AUTHORIZING THE TOWN OF GRANVILLE TO WITHDRAW FROM MEMBERSHIP IN THE LOWER PIONEER VALLEY REGIONAL PLANNING COMMISSION.

Be it enacted, etc., as follows:

The town of Granville is hereby authorized, by vote of its town meeting, to withdraw from membership in the Lower Pioneer Valley Regional Planning Commission. Upon withdrawal from said commission, the town of Granville shall make payment of any outstanding assessments due to the Lower Pioneer Valley Regional Planning Commission under the provisions of chapter forty B of the General Laws.

Approved February 23, 1980.

Chap. 7. AN ACT INCREASING THE AMOUNT THAT THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING AND ADVERTISING THE RECREATIONAL, INDUSTRIAL, AGRICULTURAL AND HISTORICAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

The first sentence of section 1 of chapter 169 of the acts of 1956, as most recently amended by chapter 599 of the acts of 1974, is hereby further amended by striking out, in lines 4 and 5, the words "one hundred twelve thousand and five hundred dollars", and inserting in place thereof the words:- one hundred and twenty-five thousand dollars.

Approved February 23, 1980.

Chap. 8. AN ACT AUTHORIZING THE REGISTER OF DEEDS OF THE NORTHERN DISTRICT REGISTRY OF DEEDS IN BERKSHIRE COUNTY TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The register of deeds of the northern district registry of deeds in Berkshire county is hereby authorized to adjust his accounts by deducting from his cashbook receipts of money due said registry of deeds the sum of one hundred and forty-two dollars, which sum was the amount stolen in a burglary on December fifteenth, nineteen hundred and seventy-six. If, after said adjustment is made, said register of deeds receives any sum in reduction of such loss, he shall pay the same over to said county.

Approved February 27, 1980.

Chap. 9. AN ACT AUTHORIZING THE CHIEF PROBATION OFFICER OF THE DISTRICT COURT OF MARLBOROUGH TO ADJUST HIS BOOKS ON ACCOUNT OF A LOSS OF MONEY FROM HIS OFFICE.

Be it enacted, etc., as follows:

SECTION 1. The chief probation officer of the district court of Marlborough is hereby authorized to adjust his accounts by deducting from his cashbook receipts of money due the county of Middlesex the sum of one hundred and ten dollars, which sum was the amount of a loss from his office on May twentieth, nineteen hundred and seventy-seven. If, after such adjustment is made, said chief probation officer receives any sum in reduction of such loss, he shall pay the same over to said county.

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

(The foregoing was laid before the Governor on the 14th day of February, 1980 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. 10. AN ACT PROVIDING THAT A PERSON SHALL NOT BE PROHIBITED FROM HOLDING AN ELECTIVE OR APPOINTIVE OFFICE IN A CITY, TOWN OR DISTRICT BECAUSE SUCH PERSON IS A STATE OR COUNTY EMPLOYEE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide that a person shall not be prohibited from holding an elective or appointive

office in a city, town or district because such person is a state or county employee, therefore 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 268A of the General Laws, as most recently amended by section 5 of chapter 210 of the acts of 1978, is hereby further amended by adding the following paragraph:-

This section shall not prohibit a state employee from holding an elective or appointive office in a city, town or district, nor in any way prohibit such an employee from performing the duties of or receiving the compensation provided for such office. No such elected or appointed official may vote or act on any matter which is within the purview of the agency by which he is employed or over which such employee has official responsibility.

SECTION 2. Section 11 of said chapter 268A, as amended by section 14 of said chapter 210 of the acts of 1978, is hereby further amended by adding the following paragraph:-

This section shall not prohibit a state or county employee from holding an elective or appointive office in a city, town or district nor in any way prohibit such an employee from performing the duties of or receiving the compensation provided for such office. No such elected or appointed official may vote or act on any matter which is within the purview of the agency by which he is employed or over which such employee has official responsibility.

SECTION 3. This act shall take effect as of November fourteenth, nineteen hundred and seventy-nine.

Approved February 28, 1980.

Chap. 11. 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 any 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 the following unpaid bills for services and materials furnished to Bristol county in the fiscal year nineteen hundred and seventy-seven through nineteen hundred and seventy-eight, to William F. Long, Jr. the sum of three hundred dollars, Shepard's, Inc., a corporation organized under the laws of the state of Colorado the sum of seventy-six dollars, Anthony R. Mastromarino the sum of three hundred and sixty dollars,

Frank V. Phillipe the sum of sixty dollars, James Goldberg the sum of fifteen dollars, James M. Lewis the sum of one hundred forty-two dollars and fifty cents, Paul M. Rockett the sum of fifty dollars, Joseph S. Callahan the sum of fifty dollars, and George G. Katsas, M.D. the sum of two hundred dollars.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said treasurer under authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the 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 and services which were not received by or rendered according to the statements required by said section two 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 4, 1980.

Chap. 12. AN ACT AUTHORIZING THE COUNTY TREASURER OF BRISTOL COUNTY TO PAY A CERTAIN SUM OF MONEY TO TRI-CITY OFFICE EQUIPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the county treasurer of Bristol county, with the approval of the county commissioners of said county is hereby authorized to pay from any available funds to Tri-City Office Equipment Corporation, an unpaid bill in the amount of one thousand three hundred and ninety dollars, for the purchase of two Olivetti electric typewriters for the clerk's office in the second district court of Bristol county, 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 county 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 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 two 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 4, 1980.

Chap. 13. AN ACT AUTHORIZING PLYMOUTH COUNTY TO OPERATE AND MAINTAIN AN AIRPLANE FOR THE DETECTION AND PREVENTION OF FOREST FIRES.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized to operate and maintain an airplane for the detection and prevention of forest fires and for such other public safety purposes as they may deem appropriate.

SECTION 2. Chapter twenty-seven of the acts of nineteen hundred and forty-nine and chapter thirty-four of the acts of nineteen hundred and fifty-eight are hereby repealed.

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

Approved March 4, 1980.

Chap. 14. AN ACT AUTHORIZING THE COMMISSIONER OF BANKS TO APPOINT THE NATIONAL CREDIT UNION ADMINISTRATION BOARD AS LIQUIDATING AGENT OF A CLOSED CREDIT UNION.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 26 the following section:-

Section 26A. The commissioner may, under his hand and official seal, appoint the National Credit Union Administration Board as the liquidating agent of a credit union insured by the National Credit Union Administration Board. Upon its acceptance of the appointment, said board as liquidating agent shall acquire both legal and equitable title to all of the assets, rights or claims and to all of the real or personal property of such closed credit union. Said board shall have the power to perform all acts and duties of the commissioner in the liquidation of such closed credit union. In addition, said board may also as liquidating agent aid in the liquidation of a credit union insured by it in the same manner and to the same extent as the Massachusetts

Credit Union Share Insurance Corporation may aid in the liquidation of a credit union insured by that corporation, as provided in chapter one hundred and seventy-one.

Whenever the National Credit Union Administration Board pays or makes payment of the insured share and deposit liabilities of a closed credit union, it shall become subrogated to all of the rights of the member and owner of the shares and deposits against the closed credit union, whether or not it becomes receiver thereof in the same manner and to the same extent as it would be subrogated in the closing of a federal credit union as provided in Sec. 1787 USC 12.

Approved March 4, 1980.

Chap. 15. AN ACT FURTHER REGULATING THE INVESTMENT OF TRUST FUNDS IN A CITY OR A TOWN.

Be it enacted, etc., as follows:

The first sentence of section 54 of chapter 44 of the General Laws, as appearing in section 1 of chapter 98 of the acts of 1979, is hereby amended by striking out, in line 13, the word "fifty" and inserting in place thereof the following words:- one hundred.

Approved March 4, 1980.

Chap. 16. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said county is hereby authorized to pay, such of the unpaid bills incurred by said county and totaling eleven thousand two hundred fifty-one dollars and eighty-five cents as set forth in a list on file in the office of the bureau of accounts in the department of revenue for goods supplied and services rendered to said county during the years nineteen hundred and seventy-six through nineteen hundred and seventy-eight, which bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer under the authority of this act unless and until a certificate has been

signed by the appropriate justice, official or employee of said county 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 a justice, official or 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.

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

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

Approved March 6, 1980.

Chap. 17. AN ACT RELATIVE TO REPORTS BY MEMBER BANKS TO THE MUTUAL SAVINGS CENTRAL FUND.

Be it enacted, etc., as follows:

Chapter 43 of the acts of 1934 is hereby amended by adding the following section:-

Section 18. Member banks shall make such reports and provide such information as is required by the directors and approved by the commissioner. If any member bank fails to make any such report or provide any such information, the directors shall notify the commissioner of such failure and the commissioner shall forthwith notify such member bank in writing. The failure of such member bank to make such report or provide such information within fifteen days after such notice from the commissioner shall be a violation of section five of chapter one hundred and sixty-seven of the General Laws.

Approved March 6, 1980.

Chap. 18. AN ACT CHANGING THE REPORTING DATE TO THE COMMISSIONER OF BANKS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. The third sentence of section 9 of chapter 167 of the General Laws, as most recently amended by section 1 of chapter 17 of the acts of 1973, is hereby further amended by striking out, in line 6, the word "December" and inserting in place thereof the word:- October.

SECTION 2. Section 27 of chapter 171 of the General Laws is hereby amended by striking out the word "December", inserted by section 2 of said chapter 17, and inserting in place thereof the word:- October.

Approved March 6, 1980.

Chap. 19. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF NORFOLK TO ACQUIRE CERTAIN CEMETERY LAND IN THE TOWN OF FOXBOROUGH FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The county commissioners of the county of Norfolk are hereby authorized to acquire by purchase, for the purpose of widening a portion of Chestnut street in the town of Foxborough an unused portion of cemetery land owned by the Roman Catholic Archbishop of Boston and located in the town of Foxborough. Said land being described as Parcel 83, containing 551 square feet as shown on a plan entitled, "Plan of Land in Foxborough, Mass. showing cemetery land proposed to be acquired by the Norfolk County Commissioners for highway purposes," dated November 29, 1979 and filed with the Norfolk County Commissioners' official records, docket number 1728.

Approved March 6, 1980.

Chap. 20. AN ACT PERMITTING A CITY OR TOWN TO APPROPRIATE MONEY ANNUALLY FOR COMMEMORATION OF THE THREE HUNDREDTH AND THREE HUNDRED AND FIFTIETH ANNIVERSARY OF INCORPORATION.

Be it enacted, etc., as follows:

Clause (27B) of section 5 of chapter 40 of the General Laws, inserted by chapter 485 of the acts of 1976, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- For the celebration of the two hundredth, two hundred and fiftieth, three hundredth and three hundred and fiftieth anniversary of its settlement or of its incorporation, any city or town may appropriate money annually during the five years preceding such anniversary.

Approved March 6, 1980.

Chap. 21. AN ACT CLARIFYING CERTAIN PROVISIONS FOR REMOVAL ELECTIONS IN THE TOWN OF SPENCER.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 523 of the acts of 1979 is hereby amended by striking out the seventh and eighth sentences and inserting in place thereof the following two sentences:- Said petition before being returned and filed shall be signed by qualified voters of the town equal in number to at least twenty per cent of the qualified voters of the town as of the date such affidavit was filed with the town clerk, and to every such signature shall be added the place of residence of the signor, giving the street and number. The recall petition shall be submitted, at or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed, to the registrars of voters in the town, and the registrars shall forthwith certify thereon the number of signatures which are names of voters of the town.

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

Approved March 12, 1980.

Chap. 22. AN ACT PROVIDING FOR A BINDING REFERENDA RELATING TO THE LOCATION OF A RESOURCE RECOVERY FACILITY IN THE TOWN OF STOUGHTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the board of selectmen of the town of Stoughton are hereby authorized on the part of said town to negotiate for the construction of a privately owned and operated Regional Resource Recovery Facility to be located in said town subject to the following minimum requirements:-

(1) That no water supply either from town wells or presently available to the town through outside contractual agreements shall be utilized as process water for the facility.

(2) That the operator of the facility shall pay to the town a minimum of one dollar per ton of the solid waste processed at the facility; said sum shall be increased every January first, effective January first, nineteen hundred and eighty-one, by the percentage increase of the Boston consumer price index for the preceding twelve-month period.

(3) That the town is guaranteed the right to dispose of all residential refuse without charge.

(4) That the operator of the facility requires and so enforces that all vehicles transport refuse to the facility only by Route 24 to the Route 139 interchange and then directly to the site from Route 139.

SECTION 2. The following question shall be placed upon the official ballot to be used for the election of town officers in the

town of Stoughton at the annual town meeting to be held in the current year:- "Shall an act passed by the General Court in the current year entitled 'An Act providing for a binding referenda relating to the location of a resource recovery facility in the town of stoughton', be accepted?"

If a majority of the votes in answer to this question is in the affirmative, section one shall take full effect, but not otherwise.

SECTION 3. The following statement preceding such question provided for in section 2 shall be placed on said official ballot:- The following question is relative to authorizing the board of selectmen to negotiate for the construction of a privately owned and operated regional resource recovery facility to be located in the town of Stoughton subject to the following minimum requirements:-

(1) That no water supply either from town wells or presently available to said town through outside contractual agreements shall be utilized as process water for the facility.

(2) That the operator of the facility shall pay to the town a minimum of one dollar per ton of the solid waste processed at the facility; said sum shall be increased every January first, effective January first, nineteen hundred and eighty-one, by the percentage increase of the Boston consumer price index for the preceding twelve-month period.

(3) That said town is guaranteed the right to dispose of all residential refuse without charge.

(4) That the operator of the facility requires and so enforces that all vehicles transport refuse to the facility only by state highway route 24 to the state highway route 139 interchange and then directly to the site from said state highway route 139.

A "yes" vote requires the board of selectmen to negotiate for the construction of a regional resource recovery facility subject to each one of the above conditions being met.

A "no" vote prohibits the board of selectmen from approving the location of a regional resource recovery facility in the area known as the North Stoughton Industrial Park.

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

Approved March 12, 1980.

Chap. 23. AN ACT RELATIVE TO THE ISSUANCE OF CERTAIN TEMPORARY NOTES BY BRISTOL COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 488 of the acts of 1978 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes

of the county. Said temporary notes in anticipation of the issue of serial bonds or notes under this act shall be subject to the applicable provisions of chapter thirty-five of the General Laws.

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

Approved March 14, 1980.

Chap. 24. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO APPROPRIATE AND TO PAY A CERTAIN SUM OF MONEY TO CHARLES DiRIENZO, THE INSPECTOR OF BUILDINGS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham 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 Charles DiRienzo, the inspector of buildings in said town a sum not to exceed six hundred dollars and eighty cents for wages due him as said inspector for a period beginning July first, nineteen hundred and seventy-seven to February twelfth, nineteen hundred and seventy-eight, inclusive.

SECTION 2. The action taken by the town of Wareham on Article 7 of the warrant for the town meeting held on October fifteenth, nineteen hundred and seventy-nine 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 March 14, 1980.

Chap. 25. AN ACT RELATIVE TO CREDIT INSURANCE WRITTEN IN CONNECTION WITH RETAIL INSTALLMENT SALES OF MOTOR VEHICLE CONTRACTS SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate immediately the refund of unearned credit insurance premiums, therefore 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 255B of the General Laws is hereby amended by striking out the last sentence, added by chapter 47 of the acts of 1979, and inserting in place thereof the following sentence:- The holder of the retail installment contract shall

refund the unearned charge for such credit life and accident and health insurance in the event of prepayment.

Approved March 14, 1980.

Chap. 26. AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY FOR THE MAINTENANCE OF HAMPDEN COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the current appropriation act for Hampden county 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 eighty.

HAMPDEN COUNTY.

28F. For special reserve for the jail for correction officers $80,000.00

SECTION 2. The county commissioners of Hampden county are hereby authorized to levy as a county tax for the current fiscal year, in addition to the county tax previously authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and seventy-nine, the total amount appropriated for said 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 county in the manner provided by law.

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

Approved March 14, 1980.

Chap. 27. AN ACT RELATIVE TO THE RATE OF INTEREST ON AND THE COLLECTION OF CERTAIN BUSINESS TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish rates of interest and methods of collection of certain business 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 3 of chapter 14 of the General Laws is hereby amended by adding the following paragraph:-

The commissioner shall establish offices of the department in jurisdictions outside the commonwealth for the purpose of administering and enforcing the tax laws of the commonwealth, includ-

ing the conduct of audit and compliance activities. Notwithstanding the provisions of section four, positions assigned to offices of the department outside the commonwealth shall not be subject to the provisions of chapter thirty-one, sections nine A and forty-five of chapter thirty or chapter one hundred and fifty E. The salaries of such positions shall be determined by the commissioner subject to the approval of the secretary of administration.

SECTION 2. Paragraph (a) of section 18 of chapter 62B of the General Laws, as amended by section 1 of chapter 536 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- In the case of any underpayment of estimated tax, except as provided in paragraph (b), there shall be added to the tax due under chapter sixty-two, for the taxable year, an amount determined at the rate of twelve per cent per annum, or such adjusted rate as is established under section thirty-two of chapter sixty-two C, upon the amount of the underpayment for the period of underpayment.

SECTION 3. Chapter 62C of the General Laws is hereby amended by striking out section 32, as appearing in section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 32. Taxes shall be due and payable at the time when the tax return is required to be filed, determined without regard to any extension of time for filing the return. Taxes assessed under sections twenty-six, twenty-seven, twenty-eight and thirty shall include interest as hereinafter provided to the date when the tax so assessed, or any unpaid balance thereof, is required to be paid, which shall be the thirtieth day following the date of the notice of the tax due.

If any amount of tax is not paid to the commissioner on or before its statutory due date, there shall be added to, and become a part of, the tax interest at the rate of twelve per cent per annum, or such adjusted rate as is hereinafter established under section sixty-six hundred and twenty-one of the Federal Internal Revenue Code in effect for the taxable year, from said date to the date that such tax is paid.

SECTION 4. Said chapter 62C is hereby further amended by striking out section 33, as amended by section 124 of chapter 514 of the acts of 1978, and inserting in place thereof the following section:-

Section 33. (a) If any return is not filed with the commissioner on or before its due date or within any extension of time granted by him, there shall be added to and become a part of the tax, as an additional tax, a penalty of one per cent of the amount required to be shown as the tax on such return for each month or fraction thereof during which such failure continues,

not exceeding, in the aggregate, twenty-five per cent of said amount.

(b) If any amount of tax is not paid to the commissioner on or before the date prescribed for payment of such tax, determined with regard to any extension of time for payment, there shall be added to the amount shown as tax on such return a penalty of one-half of one per cent of the amount of such tax for each month or fraction thereof during which such failure continues, not exceeding, in the aggregate, twenty-five per cent of said amount.

(c) If any amount of tax required to be shown on a return is not so shown, including an assessment made pursuant to the provisions of this chapter, and such tax is not paid within thirty days following the date of the notice of the tax due, there shall be added to the amount of tax stated in such notice a penalty of one-half of one per cent of the amount of such tax for each month or fraction thereof during which such failure continues, not exceeding, in the aggregate, twenty-five per cent of said amount.

(d) For purposes of subsection (a), the amount of tax required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return. For purposes of subsection (b), the amount of tax shown on the return shall, for the purposes of computing the addition for any month, be reduced by the amount of any part of the tax which is paid before the beginning of such month.

(e) This section shall not apply to any failure to file a declaration of estimated tax required by chapters sixty-two B or sixty-three B or to pay any estimated tax required to be paid by said chapters.

(f) If it is shown that any failure to file a return or to pay a tax in a timely manner is due to reasonable cause and not due to willful neglect, any penalty or addition to tax under this section may be waived by the commissioner, or if such penalty or addition to tax has been assessed, it may be abated by the commissioner, in whole or in part.

SECTION 5. Section 40 of said chapter 62C, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If any refund of any tax is made pursuant to sections thirty-six, thirty-seven or thirty-nine of this chapter, or sections twenty-seven or twenty-seven A of chapter sixty-five, or section six of chapter sixty-five A, the state treasurer shall repay to the taxpayer the amount of such refund with interest thereon at the rate of twelve per cent per annum, or such adjusted rate as

is established under section thirty-two, from the date of the overpayment to a date, to be determined by the commissioner, preceding the date of the refund check by not more than thirty days, whether or not such refund check is accepted by the taxpayer after tender of such check to the taxpayer. The acceptance of such check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest thereon. If any overpayment of tax is refunded within six months after the last day prescribed for filing the return of such tax, determined without regard to any extension of time for filing the return, or, in case the return is filed after such last date, is refunded within six months after the date the return is filed, no interest shall be allowed hereunder on such overpayment.

SECTION 6. Said chapter 62C is hereby further amended by inserting after section 45 the following section:-

Section 45A. With respect to returns required to be filed under sections ten and sixteen, the commissioner, notwithstanding the due date of the return or payment date as set forth in said section sixteen, may, by regulation, allow such classes of taxpayers as he may determine, in lieu of any requirement of filing returns more frequently than quarterly, to make estimated payments of their tax liability on account of each tax period within the calendar quarter and to file a return for the calendar quarter on or before the date that the return for such calendar quarter or the return for the last calendar month of such quarter would otherwise be due.

By regulation, the commissioner shall further provide the manner and conditions under which such returns shall be filed and such tax payments shall be made; shall prescribe additions to tax on account of underpayment of estimated tax similar to those applicable to underpayments of tax under chapter sixty-three B; and may provide that such returns be filed and tax payments be made to a bank designated as a depositary and fiscal agent under section forty-five; provided, however, that payments to such a bank shall not be allowed more often than once per week. The use of a bank for this purpose shall not be considered a violation of the provisions of section twenty-one; provided, however, that all employees of said bank having access to returns or documents to which section twenty-one is applicable shall be subject to the provisions of said section, including the penalties for their violation under subsection (c) of said section.

SECTION 7. Said chapter 62C is hereby further amended by adding the following section:-

Section 79. For purposes of this chapter:

(a) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day; payment of any portion of a tax made before the last day pre-

scribed for the payment of the tax shall be considered made on such last day. As used in this subsection, the last day prescribed for filing the return or paying the tax shall be determined without regard to any extension of time granted the taxpayer and without regard to any election to pay the tax in installments.

(b) Any tax deducted and withheld at the source during any calendar year under chapter sixty-two B shall, in respect of the recipient of the income, be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year with respect to which such tax is allowable as a credit under chapter sixty-two.

(c) Any amount paid as estimated tax for any taxable year under chapter sixty-two B or sixty-three B shall be deemed to have been paid on the last day prescribed for filing the return for such taxable year, determined without regard to any extension of time for filing such return.

(d) If any overpayment of tax is claimed as a credit against estimated tax for the succeeding taxable year, such amount shall be considered as a payment of tax for the succeeding taxable year, whether or not claimed as a credit in the return of estimated tax for such succeeding taxable year, and no claim for credit or refund of such overpayment shall be allowed for the taxable year in which the overpayment arises.

SECTION 8. Paragraph (a) of section 6 of chapter 63B of the General Laws, as most recently amended by section 55 of chapter 684 of the acts of 1975, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- In the case of any underpayment of estimated tax by a corporation, except as provided in paragraph (c), there shall be added to the taxes due under chapter sixty-three or any act in lieu thereof, and under any act in addition thereto, for the taxable year an amount determined at the rate of twelve per cent per annum, or such adjusted rate as is established under section thirty-two, upon the amount of the underpayment for the period of the underpayment.

SECTION 9. Item 1201-0100 of chapter 393 of the acts of 1979 is hereby amended by striking out, in line 13, the words "four hundred" and inserting in place thereof the words:- five hundred and one.

SECTION 10. With respect to taxes remaining unpaid on the effective date of this act the provisions of this act shall apply from said date to the date of payment of such taxes or with respect to a refund of any overpayment of a tax, the rate of interest established under this act shall apply only with respect to any applicable period from the effective date of this act to the date of payment.

SECTION 11. Sections two, three, four, five, seven, eight and ten of this act shall take effect on July first, nineteen hundred and eighty.

Approved March 14, 1980.

Chap. 28. AN ACT DESIGNATING A CERTAIN SECTION OF CASTLE ISLAND LOCATED IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON AS THE FIREFIGHTER ROBERT M. GREENE MEMORIAL PLAYGROUND AND PICNIC AREA.

Be it enacted, etc., as follows:

The metropolitan district commission playground and picnic area located on the southerly side of Castle island in the South Boston district of the city of Boston shall be designated and known as the firefighter Robert M. Greene Memorial playground and picnic area in memory of firefighter Robert M. Greene of the fire department of the city of Boston who was killed in the line of duty on November twenty-seventh, nineteen hundred and seventy-eight. A suitable marker bearing such designation may be attached thereto by the friends of said Robert M. Greene, provided that said marker conforms to the standards of said commission.

Approved March 14, 1980.

Chap. 29. AN ACT DESIGNATING A CERTAIN OVERPASS IN THE CITY OF FALL RIVER AS THE MANUEL MICHAEL MEDEIROS OVERPASS.

Be it enacted, etc., as follows:

The state highway Route I-195 overpass at Fourth and Pleasant streets in the city of Fall River shall be designated and known as the Manuel Michael Medeiros overpass, in memory of Manuel Michael Medeiros, who was instrumental in organizing the Construction and General Laborers' Union Local 610 of Fall River, and which he served as president, business manager and treasurer. 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 March 14, 1980.

Chap. 30. AN ACT FURTHER DEFINING CERTAIN DUTIES OF THE STATE TREASURER.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 10 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the word "insane" and inserting in place thereof the words:- incapacitated by reason of mental illness.

SECTION 2. Section 17 of said chapter 10, as amended by section 1 of chapter 194 of the acts of 1941, is hereby further amended by striking out, in lines 4 and 5, the words "insane, feeble minded or epileptic" and inserting in place thereof the words:- mentally ill or mentally retarded.

Approved March 14, 1980.

Chap. 31. AN ACT FURTHER REGULATING THE PAYMENT OF CERTAIN FINES BY MAIL.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 4A of chapter 90C of the General Laws, as appearing in chapter 221 of the acts of 1975, is hereby amended by striking out, in lines 10 and 11, the words "not exceeding one hundred and fifty dollars" and inserting in place thereof the words:- of any amount.

Approved March 14, 1980.

Chap. 32. AN ACT AUTHORIZING THE RETIREMENT BOARD OF THE CITY OF NEW BEDFORD TO PAY SURVIVORS BENEFITS TO CINDY LOU DAWSON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the retirement board of the city of New Bedford is hereby authorized and directed to pay to Cindy Lou Dawson, widow of Darrel D. Dawson, a deceased firefighter in said city, such benefits as are provided for widows of deceased members of a retirement system under the provisions of section twelve B of chapter thirty-two of the General Laws.

Approved March 14, 1980.

Chap. 33. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF SAINT JEAN de BAPTISTE DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15NN, inserted by chapter 331 of the acts of 1979, the following section:-

Section 15 OO. The governor shall annually issue a proclamation setting apart the fourth Sunday of June as Saint Jean de Baptiste Day, recommending that said day be observed by the people in an appropriate manner.

Approved March 14, 1980.

Chap. 34. AN ACT RELATIVE TO THE PAYMENT OF SAVINGS BANKS DEPOSITS AND CO-OPERATIVE BANK SHARES AND ACCOUNTS STANDING IN THE NAME OF DECEASED DEPOSITORS AND SHAREHOLDERS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 27 of chapter 168 of the General Laws, as amended by section 1 of chapter 91 of the acts of 1974, is hereby further amended by striking out, in line 4, the word "two" and inserting in place thereof the word:- three.

SECTION 2. The first sentence of section 19 of chapter 170 of the General Laws, as amended by section 2 of said chapter 91, is hereby further amended by striking out, in line 4, the word "two" and inserting in place thereof the word:- three.

Approved March 14, 1980.

Chap. 35. AN ACT RELATIVE TO THE AUTHORITY OF LOCAL LICENSING AUTHORITIES.

Be it enacted, etc., as follows:

The first sentence of the fourth paragraph of section 23 of chapter 138 of the General Laws, as appearing in section 2 of chapter 260 of the acts of 1971, is hereby further amended by inserting after the word "license", in line 13, the words:- ;provided, however, that no local licensing authority shall require the holder of a license issued under the provisions of section fifteen, for the sale of wines and malt beverages only, to cover such beverages on Sundays or legal holidays.

Approved March 14, 1980.

Chap. 36. AN ACT RELATIVE TO THE FUNDING FOR FACILITIES PROVIDING FOOD AND SHELTER FOR CERTAIN HOMELESS PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to confirm immediately and provide

for the funding of facilities providing food and shelter for homeless persons, therefore 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 117 of the General Laws, as appearing in chapter 908 of the acts of 1971, is hereby amended by adding the following clause:-

(e) "Facility providing food and shelter for homeless persons", a nonprofit institution which provides food and shelter to individuals who, because of psychological, emotional or physical disability, are unable to maintain their own homes.

SECTION 2. Said chapter 117 is hereby further amended by inserting after section 5 the following section:-

Section 5A. Notwithstanding the provisions of this chapter to the contrary, an application for assistance as provided in section five may not be required for any individual obtaining food and shelter at a facility providing food and shelter for homeless persons, upon determination by the department that the class of persons served by such facility is poor and indigent. The department may, in any such instance, provide assistance directly to such facility, pursuant to a contract between the department and such facility.

SECTION 3. This act shall take effect as of July first, nineteen hundred and seventy-nine.

Approved March 21, 1980.

Chap. 37. AN ACT PERMITTING ROGER J. TANGUAY TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER IN THE TOWN OF TEWKSBURY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law or rule regulating the maximum age for applicants for appointment as a police officer, Roger J. Tanguay shall be eligible to take the next open competitive examination for police officer in the town of Tewksbury and provided he meets all other requirements, shall be eligible for certification and appointment as a police officer in said town.

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

Approved, March 21, 1980.

Chap. 38. AN ACT EXEMPTING THE POSITION OF PLANNING BOARD SECRETARY IN THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of planning board secretary in the city of Marlborough 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, March 21, 1980.

Chap. 39. AN ACT RELATIVE TO THE BORROWING BY OFFICERS OF A SAVINGS BANK.

Be it enacted, etc., as follows:

Chapter 168 of the General Laws is hereby amended by striking out section 19, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following section:-

Section 19. No such corporation shall, except as hereinafter provided, make any loan or extend credit in any other manner to any of its operating officers or to any member of its board of investment, and no such operating officer or member shall, except as hereinafter provided, borrow from or otherwise become indebted to such corporation or be surety for loans by it to others or, directly or indirectly, whether acting individually or as trustee holding property in trust for another person, be an obligor for money borrowed of the corporation; provided, however, that with the prior approval of a majority of the entire board of investment, such corporation may make a loan or extend credit to an operating officer, who is not a trustee of such corporation, whether acting individually or as trustee holding property in trust for another person, in an amount not exceeding ten thousand dollars on a loan or extension of credit, secured or unsecured and in an amount not exceeding sixty thousand dollars on a loan secured by a mortgage on real estate improved with a single family dwelling which is occupied or which is to be occupied by such operating officer; and provided, further, that such corporation shall not give a preferential rate of interest, or other preferential terms on any such loan or extension of credit to such operating officer.

If any operating officer or member, either individually or as such trustee, becomes the owner of real estate upon which a mortgage is held by the corporation, his office shall become vacant at the expiration of sixty days thereafter unless prior thereto he has ceased to be the owner of the real estate or the mortgage shall have been discharged or assigned; provided, however, that this prohibition shall not apply to any operating officer, who is not a trustee of such corporation and becomes the owner of real estate upon which a mortgage is held by the corporation, securing a loan in an amount not exceeding sixty

thousand dollars on real estate improved with a single family dwelling which is occupied or which is to be occupied by such operating officer. The provisions of this section shall not apply to loans made to any operating officer or member of the board of investment on deposit books under section forty, or to loans as are guaranteed or insured in whole or in part as authorized by chapter forty-six of the acts of nineteen hundred and forty-five or by any regulation thereunder.

Approved, March 21, 1980.

Chap. 40. AN ACT REGULATING THE MEMBERSHIP OF THE AMESBURY DEMOCRATIC TOWN COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding section nine of chapter fifty-two of the General Laws, the Amesbury democratic town committee shall consist of not more than thirty members.

SECTION 2. This act shall become inoperative on March fourth, nineteen hundred and eighty-four.

SECTION 3. This act shall take effect as of March third, nineteen hundred and eighty.

Approved, March 21, 1980.

Chap. 41. AN ACT RELATIVE TO ASSESSMENTS FOR THE METROPOLITAN AREA PLANNING COUNCIL.

Be it enacted, etc., as follows:

The second paragraph of section 29 of chapter 40B of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 476 of the acts of 1974, and inserting in place thereof the following sentence:- Any increase over a previous year's assessment may only be made by a two-thirds vote of the representatives of cities and towns present and voting at a meeting duly called for the purpose of acting upon such an assessment.

Approved, March 21, 1980.

Chap. 42. AN ACT PROVIDING FOR THE DESIGNATION BY THE MASSACHUSETTS BAY TRANSPORTATION BIRDS HILL SECTION OF THE TOWN OF NEEDHAM AS THE HENRY D. HERSEY STATION.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized and directed to designate the railroad station in the Birds Hill section of the town of Needham as the Henry D.

Hersey station, in honor of Henry D. Hersey, an outstanding selectman for many years in said town and an outstanding spokesman for commuter rail service in the commonwealth. Said Authority shall attach a suitable marker thereto bearing said designation.

Approved, March 21, 1980.

Chap. 43. AN ACT EXEMPTING THE POSITION OF CUSTODIAN IN THE TOWN HALL IN THE TOWN OF WEST SPRINGFIELD FROM THE PROVISIONS OF CIVIL SERVICE.

Be it enacted, etc., as follows:

SECTION 1. The position of custodian in the town hall in the town of West Springfield shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The following question shall be placed upon the official ballot to be used for the election of town officers in the town of West Springfield at the annual town meeting to be held in the current year:-

"Shall the position of custodian in the town hall be exempt from the provisions of the civil service law?"

	YES
NO	

If a majority of the votes in answer to this question is in the affirmative, section one of this act shall thereupon take full effect, but not otherwise.

Approved, March 21, 1980.

Chap 44. AN ACT EXEMPTING CUSTODIAL POSITIONS IN THE MORRILL MEMORIAL LIBRARY OF THE TOWN OF NORWOOD FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The positions of custodian in the Morrill Memorial Library of the town of Norwood 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, March 21, 1980.

Chap. 45. AN ACT FURTHER REGULATING DEPOSITS IN SAVINGS BANKS.

Be it enacted, etc., as follows:

Subsection 1 of section 22C of chapter 168 of the General Laws is hereby amended by striking out clause (b), as amended by section 1 of chapter 360 of the acts of 1979, and inserting in place thereof the following clause:-

(b) the minimum amount, if any, 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.

Approved March 21, 1980.

Chap. 46. AN ACT ESTABLISHING A RETIREMENT AGE FOR DISTRICT ENGINEERING INSPECTORS, STATE BUILDING INSPECTORS AND STATE ELEVATOR INSPECTORS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish immediately a retirement age for district engineering inspectors, state building inspectors and state elevator inspectors, therefor 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 32 of the General Laws is hereby amended by inserting after section 90G the following section:-

Section 90H. Any member in service, classified in Group 2, who is a district engineering inspector, a state building inspector or a state elevator inspector, shall continue in service, at such members option, notwithstanding such member is mentally and physically capable of performing the duties of such office or position. Such member shall annually, at such members 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 such member has attained age sixty-five and upon retirement such member shall receive a superannuation retirement allowance equal to that to which such member would have been entitled had such member retired at age sixty-five.

SECTION 2. Chapter seven hundred and ninety-one of the acts of nineteen hundred and seventy-nine is hereby repealed.

SECTION 3. This act shall take effect as of November fourteenth, nineteen hundred and seventy-nine.

Approved March 31, 1980.

Chap. 47. AN ACT EXTENDING THE TIME FOR THE SUBMISSION OF THE ANNUAL BUDGET IN CITIES IN THE CALENDAR YEAR NINETEEN HUNDRED AND EIGHTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately extend the time for the submission of the annual budgets in cities in the year nineteen hundred and eighty, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

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

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 eighty the assessor of any city other than the city of Boston shall not have received from the city clerk a certificate under the provisions of 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 eighty-one, 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 so assessed, they shall consider 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 31, 1980.

Chap. 48. AN ACT RELATIVE TO THE MEMBERSHIP OF THE FINANCE ADVISORY BOARD OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 701 of the acts of 1960 is hereby amended by striking out the second and third sentences,

as amended by chapter 316 of the acts of 1979, and inserting in place thereof the following three sentences:- In the event of a vacancy on said board from whatever cause, such vacancy shall be filled for the remainder of the term in the case of the county of Dukes County by appointment by the county commissioners thereof, and in the case of said towns, by appointment by the selectmen. Upon the expiration of the term of a member from either the town of Falmouth or Nantucket, his successor shall be elected in like manner for a term of two years. Upon the expiration of the term of the member elected by the voters of the county of Dukes County his successor shall be appointed by the county commissioners of the county of Dukes County for a term of two years, and thereafter each such member shall be appointed in like manner for a term of two years.

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

Approved March 28, 1980.

Chap. 49. AN ACT PROVIDING THAT CERTAIN EMERGENCY REPAIRS BY THE MASSACHUSETTS TURNPIKE AUTHORITY MAY BE PERFORMED WITHOUT COMPETITIVE BIDS.

Be it enacted, etc., as follows:

Section 5 of chapter 354 of the acts of 1952 is hereby amended by striking out clause (m), as amended by chapter 660 of the acts of 1971, and inserting in place thereof the following clause:-

(m) 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; provided, that sections twenty-six to twenty-nine, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws and sections thirty-nine F to thirty-nine M, inclusive, of chapter thirty of the General Laws shall apply to contracts of the Authority to the same extent and in the same manner as they are applicable to the commonwealth. All general or special laws, or parts thereof, inconsistent herewith, are hereby declared to be inapplicable to the provisions of this act. Notwithstanding the provisions of this clause, the Authority may, with the approval of the secretary of transportation and construction or his designee, without competitive bids and notwithstanding any general or special law, award a contract, otherwise subject to this section, limited to the performance of emergency repairs necessary to preserve the safety of persons or property.

Approved March 28, 1980.

Chap. 50. AN ACT CONFORMING THE CHARGING OF CERTAIN UNEMPLOYMENT BENEFITS IN CONFORMITY WITH FEDERAL REQUIREMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 4 of the acts of 1978 is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

All payments for the first week of the period designated in the first paragraph of this act to employees made eligible for benefits solely because of the provisions of said paragraph shall be charged to the appropriate solvency account established pursuant to the provisions of sections fourteen and fourteen C of said chapter one hundred and fifty-one A; provided, that this provision shall not apply in the case of employers who finance benefits pursuant to section fourteen A of said chapter one hundred and fifty-one A. All other payments for said period to employees experiencing total or partial unemployment because of severe weather conditions or any prohibition on travel by any public official or body, shall be charged in accordance with the provisions of section fourteen or fourteen A or fourteen C of said chapter one hundred and fifty-one A.

SECTION 2. This act shall take effect as of February sixteenth, nineteen hundred and seventy-eight.

Approved March 28, 1980.

Chap. 51. AN ACT RELATIVE TO THE CONTINUED APPROPRIATION FOR THE WEBB PARK IN THE TOWN OF WEYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. Item 2120-8775 of section 4 of chapter 481 of the acts of 1976, as amended by section 2 of chapter 905 of the acts of 1977, is hereby further amended by striking out the wording and inserting in place thereof the following:- For conservation and recreational development of the former Weymouth Nike missile site, land, leased or owned with buildings thereon, and property adjacent thereto, to be in addition to any funds otherwise available.

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

Approved March 28, 1980.

Chap. 52. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF LAKEVILLE AS THE JOHN S. ERWIN MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on Highland road over state highway route 140 in the town of Lakeville shall be designated and known as the John S. Erwin Memorial bridge, in memory of chief of police John S. Erwin, who served with dedication and distinction as Lakeville's first chief of police. 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 March 28, 1980.

Chap. 53. AN ACT LIMITING THE LIABILITY OF LAND OWNERS WHO, WITHOUT CHARGE, MAKE LAND AVAILABLE TO THE PUBLIC FOR THE REMOVAL OF FUEL WOOD.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by inserting after section 17C the following section:-

Section 17D. An owner of land who permits the public to use such land for the removal of fuel wood without imposing a charge or fee therefor shall not be liable to any member of the public who uses said land for the aforesaid purpose for injuries to person or property sustained by such member of the public while on said land in the absence of willful, wanton or reckless conduct by such owner. Such permission shall not be deemed to confer upon any person so using said land the status of an invitee or licensee to whom any duty would be owed by said owner. The liability of an owner who imposes a charge or fee for the use of his land by the public for the removal of fuel wood shall not be limited by any provision of this section.

Approved March 28, 1980.

Chap. 54. AN ACT DESIGNATING THE WHALE AS THE MARINE MAMMAL OR MARINE MAMMAL EMBLEM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 2 of the General Laws is hereby amended by adding after section 15, added by chapter 333 of the acts of 1979, the following section:-

Section 16. The right whale (Eubalaena Glacialis) shall be the marine mammal or marine mammal emblem of the commonwealth.

Approved April 1, 1980.

Chap. 55. AN ACT PROVIDING FOR THE FUNDING FOR THE JUDGMENT ENTERED IN FAVOR OF BOSTON COLLEGE HIGH SCHOOL AS A RESULT OF AN EMINENT DOMAIN TAKING BY THE UNIVERSITY OF MASSACHUSETTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the funding for the judgment entered in favor of Boston College High School as a result of an eminent domain taking by the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 2 of chapter 798 of the acts of 1979 is hereby amended by inserting after item 1102-9804, the following item:-

1599-8801 For the payment of a certain judgment entered in the Suffolk superior court, docket number 656006, and for interest and expenses incurred in connection with such action $1,700,000.00

Approved April 3, 1980.

Chap. 56. AN ACT DESIGNATING A CERTAIN SECTION OF CHARLES W. GREENOUGH BOULEVARD IN THE TOWN OF WATERTOWN AS THE CHARLES RIVER ROAD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 613 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 so-called Memorial drive extension from Memorial drive and Ash street in the city of Cambridge to Arsenal street; and from Arsenal street to North Beacon street in the town of Watertown shall be designated and known as the Charles W. Greenough Boulevard, in memory of Charles W. Greenough, the late commissioner and associate commissioner of the metropolitan district commission, and suitable tablets and markers bearing said designation shall be erected and maintained along said Boulevard by said commission.

Section 3. The section of the Charles W. Greenough Boulevard from North Beacon street to Galen street in the town of Watertown shall hereafter be designated and known as Charles River road and markers bearing said designation shall be erected and maintained along said road by said commission.

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

Approved April 3, 1980.

Chap. 57. AN ACT AUTHORIZING THE CONVEYANCE OF CERTAIN LAND IN THE CITY OF WALTHAM SION TO THE CITY OF WALTHAM FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section forty-four A of chapter thirty of the General Laws and chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the metropolitan district commission, acting for and on behalf of the commonwealth, is hereby authorized and directed to convey to the city of Waltham, by a deed approved as to form by the attorney general, certain land for the reconstruction of River street near the intersection of Newton street in said city of Waltham for such consideration as may be determined by the metropolitan district commission.

Said parcel is shown on a plan on file in said city and is bounded and described as follows:

Beginning at a point in the southerly line of River Street, laid out as a Town Way by Selectmen April 13, 1850; said point being distant north 62°-56'-32" west 3.50 feet from a point of tangency in the southerly line of said River Street at the southwest corner of Newton Street, laid out by County Commissioners in 1880, thence turning and running in four courses south 82°-19'-35" east 36.00 feet, south 78°-13'-50" east 33.00 feet, south 73°-35'-00" east 23.00 feet and south 62°-56'-32" east 21.00 feet, along the southerly line of said River Street to the point of beginning; containing about three hundred and ninety-eight square feet of land, more or less.

Said city is hereby authorized to utilize for highway purposes the above described land or portions thereof.

Approved April 3, 1980.

Chap. 58. AN ACT DESIGNATING THE BRIDGE ON CLIFTON STREET OVER INTERSTATE HIGHWAY ROUTE 95 IN THE CITY OF ATTLEBORO AS THE FIRST LIEUTENANT WALTER A. YOUNG MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on Clifton street over Interstate highway route 95 in the city of Attleboro shall be designated and known as the First Lieutenant Walter A. Young Memorial bridge, in memory of

Walter A. Young, a recipient of the Bronze Star, Distinguished Service Cross, and the Purple Heart while a member of the armed forces of the United States during World War II.

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 April 3, 1980.

Chap. 59. AN ACT PROVIDING FOR THE ISSUANCE OF A SO-CALLED BINDER OF INSURANCE.

Be it enacted, etc., as follows:

Section 98 of chapter 175 of the General Laws, as amended by section 2 of chapter 446 of the acts of 1978, is hereby amended by adding the following paragraph:-

Nothing in this section shall prohibit the issuance of a written memorandum of a preliminary contract of insurance, for a period no longer than thirty days, pending the approval of the application form, for the issuance of such a policy.

Approved April 3, 1980.

Chap. 60. AN ACT PROVIDING FOR A CERTAIN DIRECTIONAL SIGN IN THE TOWN OF SCITUATE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or by-law to the contrary, the directional sign located at the junction of Chief Justice Cushing Highway and the Henry Turner Bailey Road in the town of Scituate, such sign indicating the direction to North Scituate and to Scituate and which is presently maintained by the Scituate chamber of commerce, is hereby authorized to remain at said location; provided that such sign is properly maintained by said chamber of commerce to meet the standards established by the building inspector of said town.

Approved April 3, 1980.

Chap. 61. AN ACT EXEMPTING THE POSITIONS OF CONFIDENTIAL SECRETARY AND SENIOR CIVIL ENGINEER IN THE DEPARTMENT OF PUBLIC WORKS OF THE TOWN OF TEWKSBURY FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The positions of confidential secretary and senior civil engineer in the department of public works of the town of Tewksbury 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 April 4, 1980.

Chap. 62. AN ACT AUTHORIZING THE TOWN OF NAHANT TO CONSTRUCT A SEWERAGE PUMPING STATION AND SEWER LINES ON CERTAIN PARK LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Nahant, acting by and through its board of selectmen, is hereby authorized to use a portion of the park and playground land located at Lowland playground in said town for the purpose of constructing sewer lines and a sewerage pumping station.

The area on which the pumping station is to be built is bounded and described as follows:-

Beginning at a point on the easterly side of Ward Road (formerly Marsh Road), seventy-two and eighty-three hundredths feet (72.83) southerly from the beginning of a curved line having a radius of 775.00 feet as shown on a plan hereinafter referred to; thence running N 85-47-40 E, 111.50 feet to an angle; thence running S 54-12-20 E, 30.00 feet to an angle; thence running S 25-33-00 E, 80.00 feet to an angle; thence running S 02-34-10 E, 90.00 feet to a corner; thence running S 85-47-40 W, 135.87 feet to the easterly sideline of Ward Road; thence running northerly by the said sideline of Ward Road along a curved line 185.92 feet to the point of beginning, said parcel containing 26,457 square feet.

There may also be used during construction of the Plant and the sewer lines the area marked "Temporary Easement", the limits of which vary from 12.48 feet to 25.00 feet from, and parallel with the above described parcel and the parcel described below, all of which are shown on a "Plan of Pumping Station Site and Permanent and Temporary Sewer Easements, Lowlands Park, Nahant, Mass.", dated November 1979, Otte and Dwyer, Inc., Surveyors.

The areas in which the permanent sewers are to be placed and permanent easements are to be obtained are bounded and described as follows:

Parcel 1

Beginning at a point on the easterly sideline of Ward Road (formerly Marsh Road), 258.75 feet southerly from the beginning of a curved line having a radius of 775.00 feet as shown on a

plan hereinafter referred to; thence continuing along the sideline of said Ward Road a distance of 156.26 feet to a point; thence running N 09-18-49 W, 146.75 feet to the southerly boundary of a Permanent Pumping Station Easement; thence turning and running S 85-47-40 W by the line of said Pumping Station Easement 41.42 feet to the point of beginning, continuing 3437 square feet, and being shown as a Permanent Sewer Easement on the above mentioned plan.

Parcel 2

Beginning at a point on the easterly side of Ward Road (formerly Marsh Road), twenty-seven and thirty-five hundredths feet (27.35) northerly from the southerly sideline of Castle Way (extended) as shown on a plan hereinafter referred to; thence running across land of the Inhabitants of the Town of Nahant on two courses as follows ... S 80-56-47 E, 174.77 feet and S 78-27-19E, 458.26 feet to the westerly side of Nahant Road as laid out by the M.D.C. layout of 1931; thence turning and running southeasterly by a curved line having a radius of 1394.49 feet a distance of forty-five and seventy-three hundredths feet (45.73) to a point; thence turning and running again across land of the Inhabitants of the Town of Nahant on two courses as follows ... N 78-27-19 W, 496.01 feet and N 80-56-47 W, 170.35 feet to the easterly side of said Ward Road; thence turning and running N 00-15-20 E by the easterly side of Ward Road twenty-five and thirty hundredths feet (25.30) to the point of beginning, intending to describe a strip of land twenty-five feet (25.00) in width, running from Ward Road to Nahant Road containing 16,238 square feet, and being shown on said plan as a "Permanent Sewer Easement".

There may also be used during construction of said sewer line the area marked "Temporary Easement", the limits of which are twelve and fifty hundredths feet (12.50) from and parallel with the above described parcel, excepting therefrom, however, any entry into Ward or Nahant Roads; all of which is shown on said plan.

SECTION 2. This act shall take effect upon its acceptance by a two-thirds vote of an annual town meeting of said town.

Approved April 4, 1980.

Chap. 63. AN ACT ESTABLISHING TOWN MEETING DAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the annual observance of October eighth, as Town Meeting 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:

Chapter 6 of the General Laws is hereby amended by inserting after section 15 OO, inserted by chapter 33 of the acts of 1980, the following section:-

Section 15PP. The governor shall annually issue a proclamation setting apart October eighth, as Town Meeting Day in commemoration of the holding of the first town meeting, recommending that said day be observed in an appropriate manner by the people.

Approved April 7, 1980.

Chap. 64. AN ACT RELATIVE TO FURTHER REGULATING THE COLLECTION OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 60 of the General Laws, as most recently amended by section 1 of chapter 669 of the acts of 1977, is hereby further amended by striking out clauses 10 and 11 and inserting in place thereof the following two clauses:-

10. For notice by mail or other means to the delinquent that warrant to collect has been issued, five dollars;

11. For exhibiting a warrant to collect 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, and without distraint or arrest, ten dollars;.

SECTION 2. Said chapter 60 is hereby further amended by striking out section 24, as appearing in the Tecentenary Edition, and inserting in place thereof the following section:-

Section 24. If a person refuses or neglects to pay his tax for fourteen days after demand, and after a warrant to collect and a warrant to distrain or commit is issued pursuant to section twenty-nine, the collector may without unnecessary delay levy the same by distress, or seizure and sale of his goods, except tools or implements necessary for his trade or occupation, beasts of the plough necessary for the cultivation of his improved land, military arms, uniforms and equipment, utensils for housekeeping necessary for upholding life, and bedding and apparel necessary for himself and family.

SECTION 3. Said chapter 60 is hereby further amended by striking out section 27, as so appearing, and inserting in place thereof the following section:-

Section 27. If a person is taxed for land in his occupation, but of which he is not the owner, the collector, or his designee, after demand for payment, the issuance of the warrant to collect, and the issuance of the warrant to distrain or commit pursuant to section twenty-nine, may levy the tax by distress by the sale of cattle, sheep, horses, swine or other stock or

produce of such estate, belonging to the owner thereof, which, within nine months after such assessment has been committed to him, may be found upon the premises, in the same manner as if such stock or produce were the property of the person so taxed; provided, however, that such demand for payment need not be made if the person on whom the tax is assessed resided within the precinct of the collector at the time of the assessment, and subsequently removes therefrom and remains absent three months.

SECTION 4. Said chapter 60 is hereby further amended by striking out section 29, as amended by section 29 of chapter 160 of the acts of 1963, and inserting in place thereof the following section:-

Section 29. If a person refuses or neglects to pay his tax for fourteen days after demand, the collector shall issue a warrant to collect said tax including interest, charges and fees.

If a person refuses or neglects to pay his tax after the collector or his designee has notified the person by mail or other means that a warrant to collect has been issued, and the collector or his designee exhibits a copy of the said warrant to collect, or delivers a copy thereof to the taxpayer, or leaves it at his last and usual place of abode, or of business, said collector or his designee may request a hearing in the district court having jurisdiction. Upon such request for hearing, the court may issue a summons, requiring said person to appear at a time and place named therein and submit to an examination on oath relative to his property and ability to pay and as to whether the tax, interest, charges and fees are owed. Such summons may be served by an officer qualified to serve civil process, including said collector or his designee, by delivering to the debtor an attested copy thereof, or by leaving it at his last and usual place of abode, at least seven days before the return day thereof. If service is not made, the court may order further notice.

If the court finds that the debt is owed and there is sufficient property and an ability to pay, a warrant to distrain or commit and take the body of such person and commit him to jail shall issue to the collector or his designee to serve upon said person, according to law.

SECTION 5. Said chapter 60 is hereby further amended by striking out section 30, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 30. A collector who commits a person to jail pursuant to a warrant to distrain or commit shall give to the keeper thereof a certificate signed by him stating that he has committed the person for nonpayment of his tax and for want of goods and chattels whereof to make distress and setting forth the amount

said person shall pay for said tax, interest, charges and fees.

SECTION 6. Said chapter 60 is hereby further amended by striking out section 31, as so appearing, and inserting in place thereof the following section:-

Section 31. The notice required by chapter two hundred and twenty-four to be given to a creditor may be given to any one of the assessors or to the collector of the city or town where the tax was assessed, any of whom may appear at the examination and do all other things which a creditor might do upon such supplementary proceedings. If a debtor is unable to pay such tax, he may be discharged in the manner provided under such proceedings.

SECTION 7. Said chapter 60 is hereby further amended by striking out section 34, as amended by chapter 313 of the acts of 1947, and inserting in place thereof the following section:-

Section 34. If a tax assessed upon a person remains unpaid for fourteen days after demand therefor, a warrant to collect shall issue, and, thereafter, a warrant to distrain or commit may issue pursuant to section twenty-nine; but a collector or his designee to whom the court issues the warrant to distrain or commit may request that the court suspend the commitment of the taxpayer for a period of time not exceeding fourteen days and after such time if that person has not paid his tax, with all fees and charges due thereon, including the fee for service of said warrant and travel as provided by section fifteen, said officer shall then arrest said person on the aforesaid warrant, and commit him to the jail of the county where he makes the arrest or of the county wherein the city or town in which the tax is payable lies. The warrant shall run throughout the commonwealth, and any officer to whom it is directed as aforesaid may serve it and apprehend the person in any county.

SECTION 8. Said chapter 60 is hereby further amended by striking out section 90, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 90. If a city or town appoints its treasurer as collector of taxes, he may issue his warrants to collect to a deputy collector, returnable in sixty days, requiring him to collect any and all taxes due. Such warrants shall be substantially in the same form and shall confer the same powers as warrants by assessors to collectors.

Approved April 7, 1980.

Chap. 65. AN ACT MAKING AVAILABLE THE LEGAL INVESTMENT LIST TO CREDIT UNIONS.

Be it enacted, etc., as follows:

The first paragraph of section 51 of chapter 168 of the General Laws, as most recently amended by chapter 130 of the acts of 1969, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Said list shall at all times be open to public inspection and a copy thereof shall be sent to every savings bank, to every credit union and every trust company having savings deposits.

Approved April 7, 1980.

Chap. 66. 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, as most recently amended by section 1 of chapter 415 of the acts of 1978, is hereby further amended by striking out the fourth, fifth and sixth sentences 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 therein, in his own name to an amount not exceeding, in the aggregate, seventeen thousand dollars, and he may jointly, with one or more members, hold shares or make deposits, or both, to an amount not exceeding, in the aggregate, thirty-four 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, in the aggregate, twenty-six thousand dollars and may jointly, with one or more members, hold shares or make deposits, or both, to an amount not exceeding, in the aggregate, fifty-two 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, in the aggregate, forty-five thousand dollars, provided that he has no other accounts, and he may jointly, with one or more members, hold shares or make deposits, or both, to an amount not exceeding, in the aggregate, ninety thousand dollars, exclusive of club deposits.

Approved April 7, 1980.

Chap. 67. AN ACT PROVIDING FOR PAYMENT OF INTEREST ONLY ON MORTGAGE LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 3C, as amended by section 2 of chapter 775 of the acts of 1977, and inserting in place thereof the following subsection:-

3C. Any note or mortgage secured by a first lien on a dwelling house of four or fewer separate households occupied or to be occupied in whole or in part by the mortgagor may provide for monthly payments of interest only for up to the first ten years of its or their term and subsequent payments 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 the term of the loan which payment shall be first applied to interest and the balance thereafter remaining applied to principal.

Approved April 7, 1980.

Chap. 68. AN ACT PROVIDING THAT SCHOOL BUSES UNDER CONTRACT TO A SCHOOL MAY TRANSPORT PUPILS TO AND FROM CERTAIN EXTRACURRICULAR ACTIVITIES WITHOUT PAYMENT FROM SCHOOL APPROPRIATIONS.

Be it enacted, etc., as follows:

Section 11A of chapter 159A of the General Laws is hereby amended by striking out the last paragraph, as appearing in chapter 537 of the acts of 1965, and inserting in place thereof the following paragraph:-

This section shall not be construed so as to prohibit the use of school buses under contract to a school system in transporting pupils to and from school-sponsored extracurricular activities.

Approved April 7, 1980.

Chap. 69. AN ACT AUTHORIZING THE TEMPORARY POSSESSION AND HANDLING OF FIREARMS DURING THE INTERNATIONAL HANDGUN METALLIC SILHOUETTE ASSOCIATION CHAMPIONSHIPS.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, a person who is a registered competitor in the nineteen hundred and eighty International Handgun Metallic Silhouette Association international championships shall not be required to pay a fee

for a license to carry a firearm; or to submit a copy of his fingerprints and a letter from his police chief with the application for such license; provided, that each competitor, except as hereinbefore provided, shall comply with all the requirements to be licensed to carry a firearm as provided by law; and provided, further, that each competitor shall submit evidence that he is a registered competitor in said championships with his application for such license. A license issued under the provisions of this act shall be valid on September fifteenth, nineteen hundred and eighty and shall become invalid on November first, nineteen hundred and eighty.

Approved April 7, 1980.

Chap. 70. AN ACT REQUIRING SESSIONS OF THE PROBATE AND FAMILY COURT DEPARTMENT TO BE HELD ON STATE ELECTION DAYS.

Be it enacted, etc., as follows:

Chapter 215 of the General Laws is hereby further amended by striking out section 60, as appearing in section 75 of chapter 400 of the acts of 1975, and by inserting in place thereof the following section:-

Section 60. If the regular time for holding a probate court occurs on a legal holiday, the court shall not be open, and all notices, summonses, citations, orders and other papers which would otherwise be made returnable at said regular time shall be made returnable on the next secular day thereafter.

Approved April 7, 1980.

Chap. 71. AN ACT RELATIVE TO CERTAIN GUIDE DOGS.

Be it enacted, etc., as follows:

Section 98A of chapter 272 of the General Laws, as most recently amended by section 2 of chapter 458 of the acts of 1978, is hereby further amended by inserting after the word "muzzled", in line 3, the words:- , if requested by a person in control of a place of public accommodation.

Approved April 7, 1980.

Chap. 72. AN ACT PROVIDING THAT THE POSITION OF CUSTODIAN IN THE SCHOOL DEPARTMENT OF THE TOWN OF ANDOVER SHALL BE EXEMPT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of custodian in the school department of the town of Andover shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one of this act shall not impair the civil service status of any person presently employed in the position of school custodian in the school department of the town of Andover on the effective date of this act.

Approved April 7, 1980.

Chap. 73. AN ACT ESTABLISHING THE PLUM ISLAND WATER DISTRICT IN THE TOWN OF NEWBURY AND THE CITY OF NEWBURYPORT AND REDEFINING THE BOUNDARY LINES OF THE OLD TOWN WATER DISTRICT IN THE TOWN OF NEWBURY.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Newbury and the city of Newburyport, liable to taxation in said town and said city and residing within the territory, bounded and described as follows:- Beginning at a point at the center line of the Merrimac River at its junction with Plum Island River; thence running southeasterly along the center line of Plum Island River to the point where it meets Broad Sound; thence southeasterly across Broad Sound to a point at the low water line on the westerly shore of Plum Island at the boundary line between the town of Newbury and the town of Rowley; thence southeasterly and northwesterly by the Newbury and Rowley boundary line to a point at the low water line on the easterly shore of Plum Island; thence northwesterly by the low water line along the easterly shore of Plum Island to the center line of the Merrimac River; thence westerly along the center line of the Merrimac River to the point of beginning; shall constitute a water district and are hereby made a body corporate by the name of the Plum Island Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all General Laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven artesian or other wells, within the town of Newbury and city of Newburyport 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 environmental quality engineering, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aquedects, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject

to the direction of the selectmen of the town of Newbury or the mayor of the city of Newburyport. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

The district is empowered and authorized to sell and distribute water to any adjacent town, district or any part thereof on such terms and conditions and for such consideration as the commissioners may determine.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Plum Island Water District Loan, Act of 1980. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed equitably upon the district by the assessors of said town of Newbury and city of Newburyport annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall

be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town and city, who shall assess the same on property within the district in the same manner in all respects in which town taxes and city 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 and city treasurer, who shall collect said tax in the manner provided by law for the collection of town taxes and city 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 and city taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of twenty-five or more legal voters therein, by a warrant from the selectmen of said town, mayor of said city, 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 fourteen days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, or mayor 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, five persons, inhabitants of and voters in said district, to hold office, one at large until the expiration of three years, one from the town of Newbury until the expiration of two years, one from the city of Newburyport until the expiration of two years, and one from the town of Newbury until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacany occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

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

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

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town or said city 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, city clerk of said city 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. Chapter 808 of the acts of 1972 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The inhabitants of the town of Newbury, liable to taxation in said town and residing within the territory, bounded and described as follows:-

Beginning at a point where the town boundary of Newbury, West Newbury and Newburyport meet at the southeast corner of West Newbury; thence southeasterly in a straight line to a point in the westerly line of Newbury Street (state highway) at the center line of Parker River; thence easterly and southerly along the center line of Parker River to its intersection of Mill Creek to a point; thence southeasterly along the center line of Mill Creek to a point at the center line of Broad Sound; thence northwesterly along the center line of Broad Sound to the point where it meets Plum Island River; thence northwesterly along the center line of Plum Island River to a point where it meets the Newbury and Newburyport boundary; thence westerly by the Newbury and Newburyport boundary to the point of beginning; shall constitute a water district and are hereby made a body corporate by the name of the Oldtown Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 15. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one of this act present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage.

Approved April 7, 1980.

Chap. 74. AN ACT INCREASING THE AMOUNT OF CERTAIN HOME IMPROVEMENT LOANS MADE BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Subsection 6A of section 26 of chapter 170 of the General Laws is hereby amended by striking out clause (d), as appearing in section 2 of chapter 110 of the acts of 1974, and inserting in place thereof the following clause:-

(d) such loan shall be subject to all the provisions and limitations applicable to first mortgage loans authorized by subsection 6 of this section; provided, however, that no such loan shall exceed fifteen thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of real estate, and any such loan shall be payable not more than ten years from the date of the note.

Approved April 7, 1980.

Chap. 75. AN ACT RELATIVE TO DEPOSITS IN SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 103 of the acts of 1978, is hereby amended by striking out paragraphs 1 and 2 and inserting in place thereof the following two paragraphs:-

1. Amounts Limited. - Such corporation may receive on deposit from any person for his own account or for the accounts of one or more distinct estates or trusts and deposits on any joint account provided for in section twenty-two of chapter one hundred and sixty-eight to the amount of not more than one hundred and eighty thousand dollars in the case of each individual account or not more than three hundred and sixty thousand dollars in the case of each joint account, exclusive of interest accumulated thereon and upon such interest. Notwithstanding the foregoing, such corporation may receive term deposits for the account of any person or any one or more distinct estates or trusts and joint term deposits to an aggregate amount which when added to the aggregate amount on deposit for the account of such person, estate or trust in other types of accounts does not exceed four hundred thousand dollars, exclusive in each case of interest accumulated thereon and upon such interest.

2. Exemptions from Limits. - The limitations of paragraph 1 of this section shall not apply to deposits of the following classes:- deposits by trustees or custodians appointed pursuant to the provisions of the Self-Employed Individuals Tax Retirement Act

of 1962 (Public Law 87-792) or pursuant to the provisions of the Employee Retirement Income Security Act of 1974 (Public Law 93-406) or pursuant to the provisions of section 152 of the Revenue Act of 1978 (Public Law 95-600); deposits by the commonwealth or any city, town or county of the commonwealth or by any instrumentality thereof; deposits by a religious, charitable or educational corporation or organization, labor union, credit union, or fraternal society; deposits in the name of a judge of probate, or by order of any court; deposits of any trust fund held by a town for public uses; deposits of funds representing replacement reserves or similar accumulations required under the provisions of any mortgage held by such corporation and insured by the federal housing administrator, referred to in paragraph 11 of section thirty-five and in section fifty-one of chapter one hundred and sixty-seven; deposits of the funds of the Savings Banks Employees Retirement Association; deposits in such corporation acquired by any person or persons by inheritance or bequest; deposits of funds of or by a corporation, partnership, association or other business entity; deposits of the funds of any private retirement or pension system or association, provided that the deposit accounts of any one such private system or association shall not, except by the accumulation of interest, be permitted to exceed, at any one time, three hundred thousand dollars or one and one-half per cent of the deposits of such savings bank, whichever is the greater; deposits of funds of any housing authority, referred to in sections three and five of chapter one hundred and twenty-one B; and deposits of any national banking association or trust company for the individual accounts established for all estates and trusts represented by it as trustee, executor, guardian or in any other fiduciary capacity.

SECTION 2. Section 22 of said chapter 168 is hereby amended by striking out paragraph 2, as most recently amended by section 2 of chapter 103 of the acts of 1978, and inserting in place thereof the following paragraph:-

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 four 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 three hundred and sixty thousand dollars, exclusive of accumulated interest.

Approved April 7, 1980.

EMERGENCY LETTER - April 8, 1980 @ 3:53 P.M.

Chap. 76. AN ACT FURTHER REGULATING THE AWARDING OF RACING DAYS IN HAMPDEN COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 794 of the acts of 1979 is hereby amended by adding the following sentence:- Such approval shall be obtained subsequent to June twenty-seventh, nineteen hundred and seventy-nine.

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

Approved April 8, 1980.

Chap. 77. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW OUTSIDE THE DEBT LIMIT PROJECTS FINANCED BY THE FARMERS HOME ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

Section 8 of chapter 44 of the General Laws is hereby amended by adding the following clause:-

(20) For the purposes of implementing project financed in whole or in part by the Farmers Home Administration of the United States Department of Agriculture, pursuant to the provisions of 7 USC 1921, et seq., with the approval of the Emergency Finance Board, for the portion of the project so financed and for such amounts as so approved, up to forty years.

Approved April 9, 1980.

Chap. 78. AN ACT AUTHORIZING MORTGAGEES TO INCREASE AN EXISTING MORTGAGE TO FINANCE THE INCREASED COST OF FUEL FOR HOMEOWNERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide credit for homeowners to finance the increased cost 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:

SECTION 1. Section 35 of chapter 168 of the General Laws is hereby amended by striking out paragraph 10, as most recently amended by chapter 35 of the acts of 1979, and inserting in place thereof the following paragraph:-

10. Improvement Loans. - A loan to the owner of improved real estate, upon which such corporation holds a mortgage, for the purpose of financing the improvement, repair, alteration, rehabilitation of, or fuel for supplying the energy needs of such real estate or the purchase and installation of fixtures to be affixed thereto, including but not limited to the purchase and installation of a solar or wind-powered system or heat pump system. Such loan shall not exceed fifteen thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate. The loan shall be payable not more than fifteen years and thirty-two days from the date of the note, but the note or mortgage shall provide that in any event it shall become due and payable simultaneously with the transfer of the mortgaged premises. The terms of the note or mortgage shall require that, commencing not later than two months after the date of the note, (a) payments shall be made on account of the principal in equal monthly installments in amounts which, at the maturity of the note, shall equal the original amount of the loan, or (b) fixed monthly payments shall be made in approximately the same amount during the term of the loan, which payments shall first be applied to interest and the balance to principal. The aggregate balance of principal outstanding at any one time on loans of this class shall not exceed four per cent of the deposits of such corporation.

In case a mortgage and the note secured thereby shall have been sold or otherwise assigned to another banking institution, such corporation at the request of such other banking institution and of the owner of the mortgaged property may make a loan of this class within the limitations prescribed in this section; provided, that such corporation shall agree to sell and such other banking institution shall agree to buy such loan within thirty days after the loan is made.

SECTION 2. Section 26 of chapter 170 of the General Laws is hereby amended by striking out subsection 6, as most recently amended by chapter 286 of the acts of 1979, and inserting in place thereof the following subsection:-

6. 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 fuel for supplying the energy needs of such real estate or the purchase and installation of fixtures to be affixed thereto, including, but not limited to, the purchase and installation of a solar or wind-powered system or heat pump system, 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 out-

standing, together with the loan or advance then being made, exclusive of discounts, shall not exceed fifteen 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.

SECTION 3. Section 24 of chapter 171 of the General Laws is hereby amended by striking out subdivision (D), as most recently amended by chapter 317 of the acts of 1979, and inserting in place thereof the following subdivision:-

(D) LOANS FOR THE IMPROVEMENT OF IMPROVED REAL ESTATE.

A credit union may make loans to the owner of improved real estate for the purpose of financing the improvement, repair, alteration, rehabilitation thereof, or fuel for supplying the energy needs of such real estate or the purchase and installation of fixtures to be affixed thereto, including, but not limited to, the purchase and installation of a solar or wind-powered system or heat pump system. Such loan shall not exceed ten thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate. The loan shall be payable within ten years from the date of the note. The terms of the note or mortgage shall require that, commencing not later than two months after the date of the note, (a) payments shall be made on account of the principal in equal monthly instaliments in amounts which, at the maturity of the note, shall equal the original amount of the loan, or (b) fixed monthly payments shall be made in approximately the same amount during the term of the loan, which payments shall first be applied to interest and the balance to principal. The aggregate balance of principal outstanding at any one time on loans of this class shall not exceed ten per cent of the deposits and shares of such credit union; provided, however, that the aggregate balance of principal outstanding at any one time on loans of this class for a credit union which is a member of the Massachusetts Credit Union Share Insurance Corporation shall not exceed twenty per cent of the deposits and shares of such corporation. Loans made under this paragraph may be secured by a security agreement, financing statement, or a second mortgage on the real estate to be improved, to be recorded in the appropriate registry of deeds.

SECTION 4. Section 28A of chapter 183 of the General Laws is hereby amended by striking out the first paragraph, as

appearing in chapter 92 of the acts of 1956, and inserting in place thereof the following paragraph:-

Any sum or sums which shall be loaned by the mortgagee to the mortgagor at any time after the recording of any mortgage of real estate, to be expended for paying for repairs, improvements or replacements to, fuel for, or for taxes or other municipal liens, charges or assessments on, the mortgaged premises, shall be equally secured with and have the same priority as the original indebtedness, to the extent that the aggregate amount outstanding at any one time when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the mortgage. The provisions of this section shall apply to all forms of mortgages on real estate.

SECTION 5. The rights of all parties incident to or arising out of contracts or obligations to which a credit union is a party, lawfully outstanding on the effective date of section four of this act, shall remain unimpaired and shall continue to be exercisable and enforceable, subject to applicable provisions of law unless waived in writing by all parties.

Approved April 10, 1980.

Chap. 79. AN ACT AUTHORIZING A CREDIT UNION TO SELL, TRANSFER AND ASSIGN ANY AND ALL LOANS, INVESTMENTS OR OTHER ASSETS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately allow a credit union to sell, transfer or assign assets, therefore 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 171 of the General Laws is hereby amended by inserting after section 21B the following section:-

Section 21C. A credit union by a vote of its directors may sell, transfer and assign any and all of its loans, investments or other assets; provided, that (a) where loans are sold with recourse, a loan reserve shall be established consistent with the applicable provisions of section twenty and appropriate explanations be recorded on the statement of conditions as the commissioner may prescribe; (b) in any case where the consideration to be received is other than cash, the written approval of the commissioner shall first be obtained; (c) where the aggregate amount of sales of loans exceeds twenty per cent of the total loans outstanding, the prior written approval of the commissioner for any amount in excess thereof shall be obtained and (d) no

loans, investments or other assets shall be sold, transferred or assigned to another credit union chartered in the commonwealth without the prior written approval of the commissioner.

A credit union may continue to serve any loans that it sells and may collect a service charge for such service provided that a formal agreement is affected between both parties.

Any such assignment given as security for borrowing shall constitute a debt which shall be satisfied in the event of the liquidation of the affairs of a credit union before any distribution of its assets to shareholders or holders of other accounts.

Approved April 10, 1980.

Chap. 80. AN ACT RELATIVE TO THE PROCEDURE FOR THE RESCISSION OF LAWS PREVIOUSLY ACCEPTED BY CITIES, TOWNS AND DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify immediately the procedures established for the rescission of laws previously accepted by cities, town and districts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 151 of the acts of 1979 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Notwithstanding any general or special law to the contrary, until June thirtieth, nineteen hundred and eighty-one at any time after the expiration of three years from the date on which any optional provision of general law or special act has been accepted in any city or town, whether by official ballot at an election, by by-law, ordinance or vote of the legislative body or school committee of the city or town, or by vote of the board of selectmen of a town, or by vote of a town council of a municipality having a town council form of government. The revocation of such acceptance may be effected in the same manner as was the vote to accept said provisions; provided, however, that in any municipality having a town council form of government such revocation of a law previously accepted by vote of its town meeting or board of selectmen shall be effected by a vote of its town council. Such revocation shall be subject to the following conditions:-

(a) this section shall not apply if the optional provision contains, within itself, another method of revocation;

(b) this section shall not apply to any optional provision which authorizes, but does not require acceptance by the city or town to act;

(c) this section shall not apply to any action taken under chapter thirty-two or thirty-two B of the General Laws;

(d) this section shall not apply to any action taken to establish a regional district, authority or other entity which involves another city, town, district or other governmental unit;

(e) this section shall not affect contractual, civil service or statutory rights which have come into existence between the city or town and any officer or employee thereof as a result of the acceptance of any optional provision of the General Laws; provided, however, that such revocation shall apply to the successor of the incumbent officer or employee, so as to prevent the same contractual or civil service rights from automatically continuing with respect to such successor officer or employee.

SECTION 2. Chapter 4 of the General Laws is hereby amended by striking out section 4B, inserted by section 1 of chapter 518 of the acts of 1979, and inserting in place thereof the following section:-

Section 4B. At any time after the expiration of three years from the date on which a law to take effect upon its acceptance by a city or town or a municipality as defined in section four, or is to be effective in such cities, towns or municipalities accepting its provisions, has been accepted in any such city, town or municipality such statute may be revoked in the same manner as it was accepted by such city, town or municipality, but such revocation shall be subject to the following restrictions:

(a) This section shall not apply if such law provides for another manner of revocation.

(b) This section shall not apply to any such law which authorizes, but does not require, acceptance by a city, town or municipality to act.

(c) This section shall not apply to any action taken under chapter thirty-one, thirty-two, or thirty-two B.

(d) This section shall not apply to any action taken to establish a regional district, authority or other entity which involves another city, town, municipality, district or other governmental entity.

(e) This section shall not affect any contractual rights which have come into existence between the city, town or municipality and any officer or employee thereof as a result of the original acceptance of any such law or the provisions thereof, provided, however, such revocation shall apply to the successor to the incumbent officer or employee, which application shall prevent the same contractual right from automatically continuing with

respect to such successor officer or employee.

(f) If, within sixty days following the date the vote to revoke the acceptance of any such law or the provisions thereof is taken, other than a vote which has been submitted to the voters on official ballots, a petition signed by five per cent or more of the registered voters of said city, town or municipality requesting that the question of revoking the acceptance by submitting to the voters of such city, town or municipality is filed in the office of the clerk in any such city, town or municipality, such votes shall be suspended from taking effect until the question is determined by vote of the registered voters voting thereon at the next regular city, town or municipal election, or if the city council or board of selectmen or other authority charged with calling elections shall so direct, at a special election called for that purpose. In response to the following question:- "Shall the acceptance by the _____ (City, Town) of section(s) _____ of chapter _____ of the General Laws be revoked?" A brief summary of the relevant section or sections of the General Laws shall also appear on the official ballot. If such revocation is favored by a majority of the voters voting thereon, the acceptance of said statute or the provisions thereof shall be revoked and it shall become null and void beginning with the first day of the month next following said revocation.

(g) Petitions filed requesting the placement of the question of revocation on the ballot for determination by the voters shall be substantially in conformity with the provisions of the law governing the signing of nomination papers for city, town or municipal officers, to the identification and certification of names thereon, and submission to the registrars thereof.

(h) If, on the sixty-first day following the date a vote has been taken to revoke the acceptance of such statute or the provisions thereof, and no petition as aforesaid has been filed, the vote to revoke shall become effective forthwith.

If at the time a city, town, municipality or district is authorized to revoke its acceptance of a law under the provisions of this section and such city, town, municipality or district has adopted a change in charter or otherwise is required to adopt a different procedure for acceptance of such law other than that procedure used for its original acceptance, then the procedure for acceptance in effect at the time of revocation shall be the manner for revoking such original acceptance.

SECTION 3. Section two of this act shall take effect on July first, nineteen hundred and eighty-one.

Approved April 10, 1980.

Chap. 81. AN ACT RELATIVE TO FINANCIAL ASSISTANCE TO CITIES, TOWNS AND DISTRICTS FOR REPAIR AND REHABILITATION OF THEIR WATER DISTRIBUTION SYSTEMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to eliminate delay in providing financial assistance to cities, towns and districts for repair and rehabilitation of their water distribution systems, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 805 of the acts of 1979 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. For the purposes of developing ongoing programs of investigating and identifying sources of loss of potable water and for rehabilitating water supply distribution systems, including cleaning and relining mains, laterals and associated distribution elements or replacement of the same, there is hereby made available the sum of ten million dollars which shall be expended by cities, towns and districts of the commonwealth under the direction and subject to the approval of the department of environmental quality engineering; provided, however, that said sums shall be matched by an equal sum appropriated by said cities, towns, and districts; and provided, further, that five per cent of said funds shall be set aside specifically for a program of investigation of loss of potable water; and the remaining ninety-five per cent shall be designated for system rehabilitation assistance. No single city, town or district shall be eligible for more than five per cent of the total amount designated for a program of investigation of the loss of potable water and five per cent of the total amount designated for system rehabilitation assistance.

SECTION 2. Said chapter 805 is hereby further amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. The department of environmental quality engineering shall establish standards and guidelines for the administration and disbursement of said funds; provided, that said department shall be responsible for the establishment of criteria and priorities for the receipt of such funds which shall include but not be limited to the amount of unaccounted for water usage in a city, town, or district, the institution of an ongoing leak detection program, repair of leaks identified by leak detection pro-

grams, repair of distribution systems to provide adequate pressure for fire protection and the repair of distribution systems to maintain public health standards; provided, further, that the said department shall consult with the water resources commission before establishing the criteria and priorities for the disbursement of such funds. No city, town or district shall receive such assistance unless such city, town or district has adopted or is in the process of adopting a comprehensive water resources management plan pursuant to regulations established by the water resources commission.

SECTION 3. Section 3 of said chapter 805 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Upon receipt by any city, town or district of federal funds granted expressly for the purpose of leak detection or rehabilitation of distribution systems, including replacement or cleaning and relining, such city, town or district receiving assistance under this act shall reimburse the commonwealth for such assistance in the amount that the federal funds granted exceeded forty per cent of said programs.

SECTION 4. This act shall be effective as of February fourteenth, nineteen hundred and eighty.

Approved April 10, 1980.

Chap. 82. AN ACT AUTHORIZING A CERTAIN LIQUOR STORE TO OPERATE IN BOTH THE TOWN OF AMHERST AND THE TOWN OF HADLEY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, Stadium Liquors, owned by Sojka-Traceski Incorporated and located on the Amherst-Hadley town line may use the entire building at said location for the sale of alcoholic beverages provided said corporation is granted a license to sell alcoholic beverages at retail by either the town of Amherst or the town of Hadley.

Approved April 10, 1980.

Chap. 83. AN ACT RELATIVE TO THE NAME OF EACH DIVISION OF THE DISTRICT COURT DEPARTMENT.

Be it enacted, etc., as follows:

Section 1 of chapter 218 of the General Laws is hereby amended by adding the following paragraph:-

Each division of the district court department may be referred to by the name of the principal place for the holding of said court.

Approved April 10, 1980.

Chap. 84. AN ACT RELATIVE TO REGISTRATION AND IDENTIFICATION OF TRAPS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 80 of chapter 131 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- The director shall provide by regulation, approved by the fisheries and wildlife board, that the registration number of any certificate issued by him and the name of the owner of a trap shall be affixed to each trap.

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

Approved April 10, 1980.

Chap. 85. AN ACT RELATIVE TO THE TERM OF OFFICE OF CERTAIN INSPECTORS OF BUILDINGS, BUILDING COMMISSIONERS AND LOCAL INSPECTORS.

Be it enacted, etc., as follows:

Chapter 143 of the General Laws is hereby amended by inserting after section 3X the following section:-

Section 3Y. In any city or town which accepts the provisions of this section, inspector of buildings, building commissioner or local inspector so employed and designated under this section shall be appointed for a minimum term of three years and such three year term or more shall not be diminished by an unexpired term of a predecessor, and he shall not be removed from office during his term except for just cause and after a hearing has been held on charges by and before the appointing authority.

Approved April 10, 1980.

Chap. 86. AN ACT RELATIVE TO THE DEVELOPMENT AND ENCOURAGEMENT OF THE BREEDING OF STANDARDBRED HORSES.

Be it enacted, etc., as follows:

Clause (c) of section 11 of chapter 20 of the General Laws, as

amended by section 1 of chapter 1000 of the acts of 1973, is hereby further amended by inserting after the word "department", in line 7, the words:- and registered with the Massachusetts Standardbred Breeders and Owners Association.

Approved April 10, 1980.

Chap. 87. AN ACT CLARIFYING THE LAW REGULATING INSURANCE CONTRACTS AGAINST LOSSES BY FIRE.

Be it enacted, etc., as follows:

Chapter 186 of the General Laws is hereby amended by striking out section 21, added by section 7 of chapter 446 of the acts of 1978, and inserting in place thereof the following section:-

Section 21. The landlord or lessor of any residential property except owner-occupied dwellings of four units or fewer, shall, upon the written request of any tenant or lawful occupant or of any code or other law enforcement official disclose in writing within fifteen days of such request the name of the company or companies insuring the property against loss or damage by fire and the amount of insurance provided by each company. Whoever violates this section shall be punished by a fine of not more than one thousand dollars. A waiver of this section in any lease or other rental agreement shall be void and unenforceable.

Approved April 10, 1980.

Chap. 88. AN ACT RELATIVE TO THE MEMBERSHIP OF THE PAROLE BOARD.

Be it enacted, etc., as follows:

The second paragraph of section 4 of chapter 27 of the General Laws is hereby amended by inserting after the word "association", in line 5, as appearing in section 1 of chapter 994 of the acts of 1971, the words:- or his designee.

Approved April 10, 1980.

Chap. 89. AN ACT AUTHORIZING THE TOWN OF EASTON TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The town of Easton is hereby authorized to pay an unpaid bill in the amount of eighty-eight dollars and thirty-

six cents to Marciano-Shaw Sporting Goods, Inc., 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 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 April 11, 1980.

Chap. 90. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVEY CERTAIN EASEMENTS IN PARK LAND TO THE TOWN OF LONGMEADOW.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to grant and convey to the town of Longmeadow without consideration, certain permanent easements, for water supply purposes, in land located in Forest Park and owned and held by said city under the care, custody and control of the board of park commissioners of said city, all said easements, hereinafter stated, to be within that parcel of land located in Springfield, bounded and described as follows:

Beginning at a point in the northerly line of Forest Glen Road at the easterly corner of Magawiska Road and Forest Glen Road, said point also being described as on the City of Springfield-Town of Longmeadow boundary line, and thence running S 77° 58' 17" E one hundred and 00/100 (100.00) feet along the said northerly line of Forest Glen Road to a point, thence N 12° 01' 43" E thirty-five and 00/100 (35.00) feet to a point, thence N 65° 59' 25" W ninety-one and 2/10 (91.2) feet to a point in the easterly line of Magawiska Road, thence S 23° 21' 43" W fifty-five and 00/100 (55.00) feet along the said easterly line of Magawiska Road to the point of beginning. Said parcel of land containing 0.98 acres.

Said parcel of land is shown on a plan entitled "Plan Showing Proposed Easement, City Of Springfield to Town of Longmeadow, For Water System Facilities, Longmeadow Engineering Department, dated December, 1979, which said plan is on file with the Board of Park Commissioners of said City.

SECTION 2. Said easements shall consist of the following:

(a) A permanent easement for the purpose of construction, access, repair or replacement of driveway and parking area, to be constructed and maintained at the sole cost of the town of Longmeadow in connection with access to a pumping station which pumping station is contemplated to be built by said town and located in said town.

(b) A permanent easement in perpetuity to install, maintain, repair, or replace, at the sole cost of said town, two subsurface incoming water mains, leading to said pumping station.

(c) A slope easement for construction purposes associated with the construction of said driveway and parking area and pumping station.

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

Approved April 11, 1980.

Chap. 91. AN ACT DIRECTING THE COMMISSIONER OF ADMINISTRATION TO CONVEY TO THE TOWN OF WESTBOROUGH A CERTAIN PARCEL OF LAND IN SAID TOWN FOR PUBLIC WORKS PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of administration is hereby authorized and directed to convey, for nominal consideration and by a deed approved as to form by the attorney general, to the town of Westborough a parcel of the Lyman school land situated in said town containing nineteen acres more or less, shown on a plan entitled "Plan of Land in Westborough owned by Commonwealth of Massachusetts, scale 1"=50', December 27, 1979, Richard W. Guerard, R.L.S.", and bounded and described as follows:-

BEGINNING at a point on the easterly side of the intersection of the former location of Park Street as shown on said plan

THENCE North 12° 15' 00" E. one hundred thirty-three and seventy-five hundredths (133.75) feet by said former location of Park Street;

THENCE North 07° 50' 00" E. Fifty-one and fifty-Six hundredths (51.56) feet to a point;

THENCE North 79° 15' 28" E. Two hundred eighty and seven hundredths (280.07) feet by land now or formerly of Commonwealth of Massachusetts;

THENCE North 05° 50' 15" W. Six hundred twelve and forty-four hundredths (612.44) feet still by land now or formerly of Commonwealth of Massachusetts to a set stake as shown on plan;

THENCE North 83° 13' 36" E. Six Hundred Sixty-Eight and forty hundredths (668.40) feet by land now or formerly of Commonwealth of Massachusetts to a point;

THENCE South 05° 35' 01" W. four hundred fifty-six and twenty-five hundredths (456.25) feet by land now or formerly of Chase Realty Trust;

THENCE South 80° 57' 52" E. two hundred two and one hundredths (202.01) feet to a point;

THENCE South 85° 15' 09" E. Three hundred thirty-eight and seventy-nine (338.79) feet to a point, the last two courses being by land now or formerly of Chase Realty Trust;

THENCE South 29° 34' 51" E. Two hundred Seventy-Eight and Twenty-nine hundredths (278.29) feet by land now or formerly of Northborough Youth Hockey Program, Inc. and Robert P. McGoldrick to a point;

THENCE South 83° 53' 11" W. Fifty-Two and Thirty hundredths (52.30) feet by land now or formerly of McGoldrick to a point;

THENCE 06° 00' 49" E. Fifty and Forty hundredths (50.40) feet by the proposed relocation of Oak Street as shown on said plan;

THENCE South 88° 43' 52" W. Two Hundred Seventeen and ten hundredths (217.10) feet to a point;

THENCE South 80° 41' 45" W. One Hundred Eight and Ninety-Four Hundredths (108.94) feet to a point;

THENCE South 77° 20' 33" W. Six Hundred Four and Eighteen Hundredths (604.18) feet to a point;

THENCE by a curve to the right having a radius of 1018.04' a distance of Two Hundred Forty-Eight and Seventy-Six (248.76) feet to a point;

THENCE still by a curve to the right with a radius of 797.64' a distance of Two Hundred Three and Twenty-Nine hundredths (203.29) feet to a point;

THENCE North 74° 03' 17" W. One hundred thirty-nine and thirty-seven hundredths (139.37) feet to the point of beginning.

The last five courses being by land now or formerly of Commonwealth of Massachusetts.

Containing 19.02287 acres as shown on said plan.

Such conveyance shall be subject to the restriction that the land be used exclusively by the town of Westborough for public works purposes; provided, however that such land shall not be utilized for landfill purposes, other than materials resulting from public works projects; and provided, further, that such land shall be subject to such reservations as the commissioner of administration deems advisable, including the provision that the

section of Oak street included in said plan shall be maintained by the town as a public way, and that said parcel of land shall revert to the commonwealth if said restrictions are not complied with or it is not used by the town of Westborough for public works purposes within a period of three years from the effective date of this act.

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

Approved April 11, 1980.

Chap. 92. AN ACT AUTHORIZING SIMON'S ROCK EARLY COLLEGE TO MERGE OR CONSOLIDATE INTO BARD COLLEGE, A STATE OF NEW YORK EDUCATION CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Simon's Rock Early College, organized under the provisions of chapter one hundred and eighty, is hereby authorized to consolidate or merge into Bard College, a duly constituted and qualified Education Corporation organized under the laws of the State of New York. The resulting or surviving corporation shall be a corporation chartered or incorporated by the Board of Regents of the University of the State of New York as an Education Corporation as defined under section two hundred and sixteen A of article five of the Education Laws of the State of New York.

The directors of Simon's Rock Early College are authorized to enter into an agreement for the said merger or consolidation of such corporations, setting forth the terms and conditions of the said merger or consolidation, the name of the proposed corporation, the number of its directors, which may be five or more, the time of the annual election and the names of the persons elected to be directors, and the place or places where the institution or institutions are to be maintained or to be located.

SECTION 2. The agreement of merger or consolidation shall be approved by three-fourths of the trustees or directors of each corporation at a meeting of the trustees or directors of each corporation, separately and specially called for that purpose, which approval shall be verified by the chairman and clerk of such corporation and a certification of such approval shall be sent to the state secretary of the commonwealth.

SECTION 3. Any such consolidation or merger, carried out in the manner specified by this act, shall, if the laws of the State of New York permit, have the effect set forth in section seventy-nine and eighty of chapter one hundred and fifty-six B.

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

Approved April 11, 1980.

Chap. 93. AN ACT DESIGNATING AN INTERSECTION ON GALLIVAN BOULEVARD IN THE DORCHESTER SECTION OF THE CITY OF BOSTON AS THE PHILIP A. PETROCELLI SQUARE.

Be it enacted, etc., as follows:

The intersection of Marsh and Belton streets and Gallivan boulevard in the Dorchester section of the city of Boston shall be designated and known as the Philip A. Petrocelli square, in memory of Philip A. Petrocelli, a deceased member of the American Legion Old Dorchester Post, No. 65. A suitable monument bearing such designation shall be erected and maintained thereon by the metropolitan district commission.

Approved April 11, 1980.

Chap. 94. AN ACT RELATIVE TO THE CONSTRUCTION OF CERTAIN FLOOD CONTROL PROJECTS.

Be it enacted, etc., as follows:

Chapter 710 of the acts of 1956 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. The department is hereby authorized to abandon to the United States any land or rights in land which may have been taken or acquired by said department and which are within the area of said projects; provided, that the United States has acquired an interest in the abutting land in conformity with said chapter six hundred and thirteen of the acts of nineteen hundred and fifty-six.

Approved April 11, 1980.

Chap. 95. AN ACT RELATIVE TO THE OPERATION OF MOTOR VEHICLES BY CERTAIN CHILDREN.

Be it enacted, etc., as follows:

Section 58B of chapter 119 of the General Laws is hereby amended by inserting after the word "license", in line 30, as appearing in section 1 of chapter 194 of the acts of 1957, the words:- or right.

Approved April 11, 1980.

Chap. 96. AN ACT RELATIVE TO LOAN APPLICATION FORMS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 23, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 23. All applications for loans shall be made in writing and shall state the purpose for which the loan is desired and the security, if any, offered.

The form of application for a loan to be secured by a mortgage of real estate shall contain

(a) The date.
(b) The name of the applicant.
(c) Amount of loan desired.
(d) Assessed value of the real estate in question.
(e) A statement of all balances due of any mortgages outstanding against said real estate.
(f) The income from said real estate.
(g) A description of said real estate.
(h) Such other information as the board of directors may require.

Approved April 11, 1980.

Chap. 97. AN ACT RELATIVE TO THE TURNOVER TO THE TREASURER OF DEPOSITORY INTEREST EARNED BY COLLECTOR OF TAXES IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 2 of chapter 60 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:- He shall, once in each week or more often, pay over to the treasurer all money received by him for taxes and interest during the preceding week or lesser period together with any interest earned as a result of depositing said taxes and interest received.

Approved April 11, 1980.

Chap. 98. AN ACT RELATIVE TO THE PAYMENT FOR OFF-DUTY WORK DETAILS TO CERTAIN EMPLOYEES IN CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

Section 53C of chapter 44 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 24 of the acts of 1976, and inserting in place thereof the following paragraph:-

All money received by a city, town or district as compensation for work performed by one of its employees on an off-duty work detail which is related to such employee's regular employment or for special detail work performed by persons where such detail is not related to regular employment shall be deposited in the treasury and shall be kept in a fund separate from all other monies of such city, town or district and, notwithstanding the provisions of section fifty-three, shall be expended without further appropriation in such manner and at such times as shall, in the discretion of the authority authorizing such off-duty work detail or special detail work, compensate the employee or person for such services; provided, however, that such compensation shall be paid to such employee or person no later than ten working days after receipt by the city, town or district of payment for such services.

Approved April 11, 1980.

Chap. 99. AN ACT FURTHER REGULATING REGIONAL PUBLIC LIBRARY SYSTEMS AND LIBRARY INCENTIVE GRANTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 19A of chapter 78 of the General Laws is hereby amended by striking out clauses (1) and (2), as amended by section 1 of chapter 636 of the acts of 1970, and inserting in place thereof the following two clauses:-

(1) To each town having a population of less than two thousand five hundred a sum equivalent to the amount appropriated by it for free public library service during the preceding year, but in no event more than one thousand two hundred and fifty dollars;

(2) To each city and to each town having a population of two thousand five hundred or more, a sum not exceeding fifty cents for each resident therein; provided, that such city or town appropriates during the preceding year for its free public library service at least one thousand two hundred and fifty dollars.

SECTION 2. Section 19C of said chapter 78, as amended by section 3 of said chapter 636, is hereby further amended by striking out, in lines 3 to 7, inclusive, the words "For such purpose there shall be appropriated annually an amount equal to seventy cents for each resident in each regional area for which such a regional library system is established. The board shall apply said appropriation in the following manner:" and inserting in place thereof the words:- For such purpose there shall be an annual appropriation which the board shall apply in the following manner:.

SECTION 3. Section 19C of said chapter 78 is hereby further amended by striking out clauses (3) and (4) and inserting in place thereof the following two clauses:-

(3) Any library system providing service under an approved plan shall be entitled to receive annually in state aid an amount per capita of its served population per square mile of the area served in accordance with the following schedule:-

Over 1,000 population	55 cents per capita
750-999 population	60 cents per capita
500-749 population	75 cents per capita
Under 500 population	75 cents per capita

(4) In addition to the sums provided in clause (3), the Boston public library, as the library of last recourse for reference and research services for the commonwealth, shall be entitled to receive in state aid the sum of five cents per annum for each resident in the commonwealth.

Approved April 11, 1980.

Chap. 100. AN ACT PERMITTING THE LICENSING OF DOGS WITHOUT A CERTIFICATE OF INNOCULATION FOR RABIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately permit the licensing of dogs without a certificate of innoculation for rabies, 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 137 of chapter 140 of the General Laws is hereby amended by striking out the second and third paragraphs, inserted by section 1 of chapter 474 of the acts of 1979.

SECTION 2. Section 145B of said chapter 140 is hereby amended by striking out the first paragraph, as amended by section 2 of said chapter 474, and inserting in place thereof the following paragraph:-

Whoever is the owner or keeper of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the department of public health.

(The foregoing was laid before the Governor on the thirty-first day of March, 1980 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 there to within that time.)

Chap. 101. AN ACT AUTHORIZING CERTAIN TIME OFF FOR OFFICERS OF THE PROFESSIONAL FIREFIGHTERS OF MASSACHUSETTS, AFL-CIO-CLC.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by inserting after section 57G the following section:-

Section 57H. The elected officers of the Professional Firefighters of Massachusetts, AFL-CIO-CLC shall be granted leave, if on duty, by the municipal employer for those regularly scheduled work hours spent in the performance of their elected responsibilities in such organization.

Approved April 16, 1980.

Chap. 102. AN ACT RELATIVE TO THE CONTROL AND ERADICATION OF BRUCELLOSIS IN BOVINE ANIMALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately prevent the importation into the commonwealth of certain female cattle, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 485 of the acts of 1978 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. Section thirty-six E of chapter one hundred and twenty-nine of the General Laws, as amended by section two of this act, shall take effect on January first, nineteen hundred and eighty-one.

SECTION 2. This act shall take effect as of January first, nineteen hundred and eighty.

Approved April 23, 1980.

Chap. 103. AN ACT AUTHORIZING THE TOWN OF AYER TO CONVEY A CERTAIN PARCEL OF PARK LAND TO THE AYER HOUSING AUTHORITY TO BE USED BY SAID AUTHORITY AS A SITE FOR ELDERLY HOUSING.

Be it enacted, etc., as follows:

SECTION 1. The town of Ayer is hereby authorized to convey a certain portion of land held and used for park purposes to the Ayer Housing Authority for development as a site for elderly housing. Said land is situated on the southeasterly side of School street and the southwesterly terminus of Oak street and the southwesterly terminus of Pond street in the said town and is bounded and described as follows:

BEGINNING at a point on the Southeasterly side of School St., the most Northerly corner of the premises described herein and at the most Westerly corner of land of Marion R. Titus;

THENCE S45°-39'-07"E by land of said Titus, land of Joseph P. and Mary M. Curran, by the Southwesterly terminus of Oak Street, by land of Philip L. and Marguerite E. Dynice, land of Robert Bacon, and the Southwesterly terminus of Pond Street, four hundred eighty-six and 13/100 (486.13) feet to a point;

THENCE N44°-20'-53"E by the Southeasterly side of Pond St. nine and 55/100 (9.55) feet to a point at the most Westerly corner of land of Azel P. and Florence E. Green;

THENCE S45°-39'-07"E by land of said Green one hundred seventy-seven and 98/100 (177.98) feet to a concrete bound at land of Marjorie E. Thomas;

THENCE S31°-45'-05"W by land of said Thomas, by land now or formerly Marjorie E. Pooles and land of Christine E. Ballis two hundred seventy-eight and 99/100 (278.99) feet to a point at land of the Inhabitants of the Town of Ayer;

THENCE N45°-39'-07"W by said Town land, three hundred and 99/100 (300.99) feet to a point;

THENCE N38°-17'-50"W by said Town land, four hundred twenty-seven and 48/100 (427.48) feet to a point/

THENCE N44°-20'-53"E by said Town land and by the Southeasterly side of School Street, two hundred eight and 00/100 (208.00) feet to the point of beginning.

CONTAINING 3.97 Acres.

SECTION 2. Any action taken pursuant to section one is hereby validated and is effective as though this act was in effect at the time of the posting of the warrant for the special town meeting of the town of Ayer held on October fourth, nineteen hundred and seventy-nine and the adjourned session thereof held on November eighth, nineteen hundred and seventy-nine.

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

Approved April 23, 1980.

Chap. 104. AN ACT CHANGING THE INCEPTION TIME OF ALL STANDARD FIRE INSURANCE CONTRACTS.

Be it enacted, etc., as follows:

Clause Twelfth of section 99 of chapter 175 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 478 of the acts of 1951, and inserting in place thereof the following paragraph:-

In consideration of the provisions and stipulations herein or added hereto and of dollars premium this company, for the term of from the day of , 19 to the day of , 19 at one minute past twelve o'clock ante-meridian, standard time, at location of property involved, to an amount not exceeding dollars, does insure and legal representatives, to the extent of the actual cash value of the property at the time of loss, and without compensation for loss resulting from interruption of business or manufacture, nor in any event for more than the interest of the insured, against all loss by fire, lightning and by removal from premises endangered by the perils insured against in this policy, except as hereinafter provided, to the property described hereinafter while located or contained as described in this policy, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from the perils insured against in this policy, but not elsewhere.

Approved April 23, 1980.

Chap. 105. AN ACT RELATIVE TO THE DUTIES OF THE ADMINISTRATIVE JUSTICES OF THE TRIAL COURT.

Be it enacted, etc., as follows:

The second paragraph of section 10 of chapter 211B of the General Laws, as appearing in section 110 of chapter 478 of the acts of 1978, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

Said administrative justices shall have responsibility for the administrative management of the personnel, staff services and business of their departments, including financial administration and budget preparation, record-keeping, information systems and statistical controls, purchasing, planning, construction, case flow management, assignments of sittings of the justices of their

respective departments, including justices not appointed thereto but assigned, for the time being therein by the chief administrative justice.

Approved April 23, 1980.

Chap. 106. AN ACT INCREASING THE MAXIMUM PENALTY FOR VIOLATION OF RULES AND REGULATIONS OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

The third paragraph of section 37 of chapter 92 of the General Laws is hereby amended by striking out the word "fifty", inserted by chapter 489 of the acts of 1970, and inserting in place thereof the words:- two hundred.

Approved April 23, 1980.

Chap. 107. AN ACT MAKING CERTAIN CHANGES IN THE LAW REGULATING LEGISLATIVE AGENTS.

Be it enacted, etc., as follows:

The first paragraph of section 43 of chapter 3 of the General Laws, as amended by section 1 of chapter 458 of the acts of 1976, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- The state secretary shall, within thirty days of the receipt of such accounting, notify those legislators and those members of the executive branch whose names appear therein as having received meals, transportation or entertainment, as to the nature of the expenditure claimed, the date and amount of such expenditure; and the person or persons who reported the same.

Approved April 23, 1980.

Chap. 108. AN ACT AUTHORIZING THE PERSONNEL ADMINISTRATOR TO CONTINUE THE EMPLOYMENT OF PROVISIONAL POLICE OFFICERS UNTIL THEIR REPLACEMENT HAS BEEN MADE FROM THE OFFICIAL CIVIL SERVICE POLICE LIST.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections twelve and fourteen of chapter thirty-one of the General Laws, at the request of the appointing authority, the personnel administrator of the division of personnel administration is hereby authorized to approve the employment of a person appointed as provisional police officer by a city or town until such time as a permanent

appointment has been made from eligible lists established for police services positions and a person so appointed has completed the prescribed police training course; provided, that the appointing authority has complied with all instructions issued by said administrator.

SECTION 2. This act shall cease to be operative on December thirty-first, nineteen hundred and eighty-five.

Approved April 23, 1980.

Chap. 109. AN ACT RELATIVE TO BORROWING BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

The first paragraph of section 31 of chapter 170 of the General Laws, as most recently amended by chapter 54 of the acts of 1979, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:-Such corporation, by vote of at least three-fifths of all its directors, may borrow from any source to meet withdrawals, pay taxes, make loans on shares or accounts of the corporation, or make or acquire real estate loans; provided, that any such borrowing shall be subject to the approval of the commissioner if such borrowing together with the aggregate of all borrowings then outstanding would exceed an amount equal to twenty per cent of the assets of such corporation.

Approved April 23, 1980.

Chap. 110. AN ACT RELATIVE TO LICENSES TO OPERATE CERTAIN MOTOR VEHICLES.

Be it enacted, etc., as follows:

The fifth paragraph of section 8 of chapter 90 of the General Laws, as appearing in section 1 of chapter 361 of the acts of 1973, is hereby amended by adding the following two sentences: -All operators of motor vehicles and trailers which are regarded as registered under a general distinguishing number or mark as provided in section five shall be subject to the rules and regulations establishing classifications for operator's licenses. In absence of a registered gross weight for such vehicle or trailer, the gross vehicle weight rating as established by the original manufacturer of the chassis shall be used to determine the class of license required to operate the aforementioned motor vehicles and trailers.

Approved April 23, 1980.

Chap. 111. AN ACT PROVIDING FOR PUPIL TESTING FOR POSTURAL DEFECTS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 57, as most recently amended by chapter 480 of the acts of 1975, and inserting in place thereof the following section:-

Section 57. The committee, or the board of health in those municipalities where school health services are the responsibility of the board of health, shall cause every child in the public schools, and at the individual request of a parent or guardian of a pupil in a private school which has been approved under section one, and which does not discriminate in its entrance requirements on the basis of race or color cause such pupil to be separately and carefully examined in such manner and at such intervals, including original entry, as may be determined by the department of public health after consultation with the department of education and the medical profession, to ascertain defects in sight or hearing, postural and other physical defects tending to prevent his receiving the full benefit of his school work, or requiring a modification of the same in order to prevent injury to the child or to secure the best education results, and to ascertain defects of the feet which might unfavorably influence the child's health or physical efficiency, or both, during childhood, adolescence and adult years, and shall require a physical record of each child to be kept in such forms as prescribed by the provisions of section one hundred and eighty-five A of chapter one hundred and eleven. Tests ascertaining postural defects shall be administered at least once annually in grades five through nine. Tests of sight and hearing and postural defects shall be performed by teachers, physicians, optometrists, nurses or other personnel who are approved by the department of public health for the purpose, and the examination of feet shall be made by the school physicians or by podiatrists, in accordance with regulations set up by the department. Any child shall be exempt on religious grounds from these examinations upon written request of parent or guardian on condition that the laws and regulations relating to communicable diseases shall not be violated.

Approved April 23, 1980.

Chap. 112. AN ACT RELATIVE TO THE FUNDING OF SALARIES PAYABLE DURING THE MONTHS OF JULY AND AUGUST TO TEACHERS AND OTHER PROFESSIONAL EMPLOYEES OF THE SCHOOL DEPARTMENT IN THE TOWN OF TEWKSBURY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the town of Tewksbury may exclude from its budget for the fiscal year ending June thirtieth, nineteen hundred and eighty, the estimated amounts earned by teachers or any other professional employees of the school department for the school year ending on June thirtieth, nineteen hundred and eighty, which are payable during the months of July and August of the year nineteen hundred and eighty. Said town of Tewksbury shall budget for the fiscal year commencing July first, nineteen hundred and eighty, one-half of the amounts necessary to make payments during the months of July and August, nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty; and for the fiscal year commencing July first, nineteen hundred and eighty-one, the full amounts necessary to make payments during the months of July and August, nineteen hundred and eighty-one, and all of the monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty-two, and such amounts shall be subject to the provisions of section thirty-four of chapter seventy-one of the General Laws and shall not be subject to chapter one hundred and fifty-one of the acts of nineteen hundred and seventy-nine limiting local appropriations or any successor acts.

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

Approved May 2, 1980.

Chap. 113. AN ACT AUTHORIZING THE CITY OF LYNN TO PAY CERTAIN MEDICAL EXPENSES TO ROBERT BOYD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Lynn is hereby authorized to appropriate and after such appropriation, the treasurer of said city is hereby authorized to pay Robert Boyd the sum of five thousand dollars, to reimburse him for hospital and medical expenses arising from an injury sustained by him in a classroom while a student at Lynn Vocational and Technical Institute on May second, nineteen hundred and seventy-three.

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

Approved May 2, 1980.

Chap. 114. AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE CITY OF PITTSFIELD,

PREVIOUSLY RAISED BY BOND ISSUE FOR MAKING REPAIRS TO THE WATER SYSTEM OF SAID CITY.

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 Pittsfield may, by two-thirds vote of all members of the city council, appropriate the sum of two hundred and three thousand two hundred and ninety-eight dollars from the proceeds of a loan issued February first, nineteen hundred and seventy-three, for the purchase of land in the town of Windsor for a water reservoir, for the purpose of making repairs to the water system of said city. Said repairs shall include but are not limited to, a water study report and corrective measures recommended by said report.

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

Approved May 2, 1980.

Chap. 115. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO PAY A CERTAIN SUM OF MONEY TO EDWARD WIELGUS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Westfield is hereby authorized to appropriate, and after such appropriation, the treasurer of said city shall pay to Edward Wielgus, acting superintendent of the department of public works in said city, a sum not to exceed three thousand dollars for services performed as such acting superintendent during the fiscal year nineteen hundred and seventy-eight to nineteen hundred and seventy-nine.

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

Approved May 2, 1980.

Chap. 116. AN ACT AUTHORIZING THE TOWN OF COHASSET TO USE CERTAIN CONSERVATION LAND FOR THE PURPOSE OF CONSTRUCTING A SEWAGE TREATMENT PLANT THEREON.

Be it enacted, etc., as follows:

SECTION 1. The town of Cohasset is hereby authorized to transfer the care, custody management and control of a certain parcel of land from the conservation commission in said town to the board of selectmen of said town. Said land shall be used as a site for a sewage treatment plant and accessories and appurtenances thereto.

Said parcels being located Southwesterly of land owned by the Penn Central Railroad and being shown as Lot 2 on a plan drawn by Edwin A. Young, Surveyor, dated July 3, 1962, as modified and approved by the Land Court, filed in the Land Registration office as No. 31695A, a copy of a portion of which is filed in the Norfolk Register District with Certificate 74557, Book 373 and shown on a deed recorded in Norfolk Registry of Deeds in Book 5007, Pages 524 and 525 to which plan and deed reference is hereby made for a more particular description of said parcels. Said parcels are also shown on a plot plan of Proposed Sewage Treatment Facility which plan is on file in the office of the Town Clerk.

SECTION 2. Any action taken pursuant to section one prior to the effective date of this act is hereby validated and is effective as though this act was in effect at the time of the posting of the warrant of the special town meeting of the town of Cohasset held on February fourteenth, nineteen hundred and eighty.

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

Approved May 2, 1980.

Chap. 117. AN ACT PROVIDING FOR THE ELECTION OF PERSONS TO VACANCIES TO THE TOWN MEETING MEMBERSHIP IN THE TOWN OF AMHERST.

Be it enacted, etc., as follows:

In the event of a vacancy in the full membership of the representative town meeting body in the town of Amherst following the annual town election, and prior to the annual town meeting of the same year, such vacancy shall be filled by the losing candidate at the same election with the largest number of votes in that precinct who shall serve only until the next annual town election. If there is a tie vote among two or more such candidates, the remaining elected members of the same precinct shall, by ballot, choose from among those tied and the winner shall serve until the next annual town election. The town clerk shall call a special meeting of said remaining elected members of such precinct to be held within thirty days following said annual town election, and shall cause to be mailed to every such member a notice specifying the purpose, time and place of the meeting not less than five days preceding the date scheduled. The election to fill such vacancy shall be conducted in the manner provided for in section seven of chapter ten of the acts of nineteen hundred and thirty-six.

Approved May 2, 1980.

Chap. 118. AN ACT FURTHER REGULATING CONSUMER CREDIT REPORTING.

Be it enacted, etc., as follows:

SECTION 1. Section 50 of chapter 93 of the General Laws, as appearing in section 1 of chapter 805 of the acts of 1971, is hereby amended by adding the following definition:-

"User", any person seeking or obtaining a consumer report for purposes authorized in section fifty-one.

SECTION 2. Section 56 of said chapter 93, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) The nature, contents and substance of all information, except medical information, in its file on the consumer at the time of the request, and which is obtainable based upon the identifying information supplied by the consumer when making such request, and if such consumer has made a written request, deliver a written copy or photocopy of all such information except any code identifications which are used solely for purposes of transferring such information to and from credit reporting agencies. The names of the users corresponding to the code identifications shall be disclosed to the consumer.

SECTION 3. Subsection (b) of section 57 of said chapter 93, as so appearing, is hereby amended by inserting after the word "consumer", in line 7, the following:- ; or

(3) by certified mail, if he has made a written request, return receipt requested, deliver to addressee only.

SECTION 4. Said section 57 of said chapter 93, as so appearing, is hereby further amended by adding the following subsection:-

(f) No person shall be held liable for any violation of paragraph (3) of subsection (b) if such person proves by a preponderance of evidence that at the time of the alleged violation such person maintained reasonable procedures to assure compliance with said paragraph (3).

SECTION 5. Said chapter 93 is hereby further amended by striking out section 59, as so appearing, and inserting in place thereof the following section:-

Section 59. A consumer reporting agency shall make all disclosures pursuant to section fifty-six and furnish all consumer reports pursuant to subsection (d) of section fifty-eight to the consumer without charge except that a charge may be imposed not to exceed the amount which is charged to a user for photocopying and the cost of certified mail, if any, if, within thirty days after receipt by such consumer of a notification pursuant to section sixty-two or notification from a debt collection agency affiliated by contract or corporate relationship with such consumer reporting agency stating that the consumer's credit rating

may be or has been adversely affected, the consumer makes a request under section fifty-six or subsection (d) of section fifty-eight, otherwise, the consumer reporting agency may impose on the consumer a reasonable charge not to exceed that amount which is charged to a user for making such disclosure, photocopying materials and the cost of certified mail, if any, for making disclosure to such consumer pursuant to section fifty-six the charge for which shall be indicated to the consumer prior to making disclosure; and for furnishing notifications, statements, or summaries, to a person designated by the consumer pursuant to subsection (d) of section fifty-eight the charge for which shall be indicated to the consumer prior to furnishing such information and shall not exceed the charge that the consumer reporting agency would impose on each designated recipient for a consumer report, except that no charge may be made for notifying such persons of the deletion of information which is found to be inaccurate or which can no longer be verified.

Approved May 2, 1980.

Chap. 119. AN ACT RELATIVE TO THE VENUE PROVISIONS IN CONSUMER PROTECTION ACTIONS.

Be it enacted, etc., as follows:

The first paragraph of section 4 of chapter 93A of the General Laws, as amended by chapter 544 of the acts of 1972, is hereby further amended by inserting after the second sentence the following sentence:-

If more than one person is joined as a defendant, such action may be brought in the superior court of the county where any one defendant resides or has his principal place of business, or in Suffolk county.

Approved May 2, 1980.

Chap. 120. AN ACT RELATIVE TO THE NORFOLK COUNTY DEVELOPMENT AND TOURIST COUNCIL OF MASS. INC.

Be it enacted, etc., as follows:

The second paragraph of section 14 of chapter 23A of the General Laws is hereby amended by striking out, in lines 3 and 4, as appearing in section 1 of chapter 1038 of the acts of 1973, the words "Norfolk County Tourist Council, Inc." and inserting in place thereof the words:- Norfolk County Development and Tourist Council of Mass., Inc.

Approved May 2, 1980.

Chap. 121. AN ACT PROVIDING FOR INCREASED COOPERATION BETWEEN INSURANCE COMPANIES, INSURANCE AGENTS AND LAW ENFORCEMENT AGENCIES IN THE INVESTIGATION OF LOSSES BY FIRE.

Be it enacted, etc., as follows:

Section 32 of chapter 148 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 446 of the acts of 1978, and inserting in place thereof the following paragraph:-

In the absence of fraud, malice or criminal act, no insurance company, or person who furnished information on its behalf, or any duly licensed insurance agent or broker, or any employee of such agent or broker, through whom the policy was issued shall be liable for damages in a civil action or subject to criminal prosecution for any conduct reasonably undertaken pursuant to the provisions of this section.

Approved May 2, 1980.

Chap. 122. AN ACT RELATIVE TO THE JURISDICTION OF THE DISTRICT COURTS OVER CERTAIN ASSAULT AND BATTERY OFFENSES.

Be it enacted, etc., as follows:

Chapter 218 of the General Laws is hereby amended by striking out section 26, as most recently amended by section 187 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 26. The district courts and the municipal court of the city of Boston shall have original jurisdiction, concurrent with the superior court, of the following offenses, complaint of which shall be brought in the division of the district court department, or in the Boston municipal court department, as the case may be, within which judicial district the offense was allegedly committed or is otherwise made punishable: all violations of by-laws, orders, ordinances, rules and regulations, made by cities, towns and public officers, all misdemeanors, except libels, all felonies punishable by imprisonment in the state prison for not more than five years, the crimes listed in section fifteen A of chapter two hundred and sixty-five and sections sixteen, seventeen, eighteen, nineteen, twenty-eight and forty-nine of chapter two hundred and sixty-six, and the crimes of escape or attempt to escape from any penal institution, forgery of a promissory note, or of an order for money or other property, and of uttering as true such a forged note or order knowing the same to be forged. They shall have jurisdiction of proceedings referred

to them under the provisions of section four A of chapter two hundred and eleven.

Approved May 2, 1980.

Chap. 123. AN ACT RELATIVE TO THE CALLING OF MEETINGS OF THE NORTH RAYNHAM WATER DISTRICT IN THE TOWN OF RAYNHAM.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 483 of the acts of 1949 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Any meeting of the voters of the territory included within the boundaries set forth in section one shall be called on a petition of eighty or more legal voters therein, by a warrant from the board of water commissioners, the selectmen of said town or a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting.

SECTION 2. Section 11 of said chapter 483 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified and conducted; and, upon application of eighty or more legal voters in the district, meetings may also be called by warrant as provided in section eight.

Approved May 2, 1980.

Chap. 124. AN ACT RELATIVE TO THE CHARGES FOR CERTAIN VEHICLES TOWED IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 262 of the acts of 1979 is hereby amended by striking out, in line 32, the words "twelve dollars" and inserting in place thereof the words:- the maximum tariff established by the department of public utilities for such services.

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

Approved May 2, 1980.

Chap. 125. AN ACT REGULATING THE FORM OF CONTRACT FOR THE ADJUSTMENT OR APPRAISAL OF A FIRE LOSS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 172, as most recently amended by section 6 of chapter 1000 of the acts of 1977, and inserting in place thereof the following section:-

Section 172. The commissioner may, upon the payment of the fee prescribed by section fourteen, issue to any suitable person of full age a license to act as an adjuster of fire losses if such person files with the commissioner a written application for the license as prescribed by section one hundred and sixty-six and which is executed on oath by the applicant. Such application shall be kept on file by the commissioner. 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. The commissioner may at any time, for cause shown and after a hearing, revoke the license or suspend it for a period not exceeding the unexpired term thereof, and may, for cause shown and after a hearing, revoke the license while so suspended, and shall notify the licensee in writing of such revocation or suspension. No contract in writing for the adjustment or appraisal of a fire loss shall be made until a copy of the form of such contract has been on file for thirty days with the commissioner, unless before the expiration of said period he shall have approved the form in writing; nor if he notifies the adjuster of fire losses in writing within said period that the form of such contract has been disapproved by him, specifying his reasons therefor, provided that such action of the commissioner shall be subject to review by the superior court. All contracts for the adjustment or appraisal of a fire loss shall be in writing in a form approved by the commissioner. Whoever acts as an adjuster of fire losses, as defined in section one hundred and sixty-two, without such license or during a suspension of his license, or in violation of any provision of this section, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months.

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 judgment 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 May 2, 1980.

Chap. 126. AN ACT INCREASING THE TOTAL VALUE OF AN ESTATE CONSISTING ENTIRELY OF PERSONAL PROPERTY THAT QUALIFIES FOR INFORMAL ADMINISTRATION.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 16 of chapter 195 of the General Laws, as most recently amended by chapter 209 of the acts of 1979, is hereby further amended by striking out, in line 4, the word "three", and inserting in place thereof the word:- five.

SECTION 2. The first paragraph of section 16A of said chapter 195, as appearing in section 2 of chapter 744 of the acts of 1979, is hereby amended by striking out, in line 4, the word "three", and inserting in place thereof the word:- five.

Approved May 2, 1980.

Chap. 127. AN ACT ASCERTAINING THE WILL OF THE VOTERS OF THE TOWN OF LANESBOROUGH RELATIVE TO MAKING POLICE OFFICERS IN THE TOWN OF LANESBOROUGH SUBJECT TO CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

In order to ascertain the will of the voters of the town of Lanesborough, the town clerk of said town shall cause to be placed upon the official ballot to be used at the annual town meeting, or at any special town meeting to be held in the year nineteen hundred and eighty, the following question:-

"Shall police officers in the town of Lanesborough be subject to civil service law and rules?"

YES	
NO	

This question is not binding.

Approved May 2, 1980.

Chap. 128. AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO CONVEY TO PATRICK J. AND ALICE E. MELNIK A CERTAIN PARCEL OF LAND IN SAID CITY.

Be it enacted, etc., as follows:

The city of Northampton is hereby authorized to convey to Patrick J. and Alice E. Melnik a certain parcel of land in said city bounded and described as follows:-

Beginning at a point on the northerly side of Chesterfield Road, such point being the southeasterly corner of land now or formerly of Patrick J. and Alice E. Melnik;

Thence north 24°-12'-38" west along land of Patrick J. and Alice E. Melnik a distance of 515 feet to a point;

Thence north 65°-47'-22" east along land of the City of Northampton a distance of 60 feet to a point;

Thence south 24°-12'-38" east along other land of Patrick J. and Alice E. Melnik a distance of 515 feet to a point on the northerly side of Chesterfield Road;

Thence south 65°-47'-22" west along the northerly sideline of Chesterfield Road a distance of 60 feet to the point of beginning.

Being a parcel of land containing 30,900 square feet as shown on a plan dated May 15, 1978, prepared for Patrick J. and Alice E. Melnik by Almer Huntley, Jr., and Associates.

The consideration for such conveyance by the city of Northampton, shall be the conveyance by said Patrick J. and Alice E. Melnik to said city of a certain parcel of land bounded and described as follows:-

Beginning at a point on the northerly side of Chesterfield Road, such point being at the southeasterly corner of the land of the City of Northampton;

Thence north 33°-05'-26" west along land of the City of Northampton a distance of 356.82 feet to a point;

Thence north 18°-20'-16" west along land of the City of Northampton a distance of 71.23 feet to a point;

Thence north 02°-24'-59" west along land of the City of Northampton a distance of 83.54 feet to a point at the northwesterly corner of the land of Patrick J. and Alice E. Melnik;

Thence north 67°-05'-35" east along land of the City of Northampton a distance of 82.17 feet to a point;

Thence south 20°-11'-33" west along land of Patrick J. and Alice E. Melnik a distance of 44.15 feet to a point;

Thence south 02°-24'-59" east along land of Patrick J. and Alice E. Melnik a distance of 63.16 feet to a point;

Thence south 18°-20'-16" east along land of Patrick J. and Alice E. Melnik a distance of 55.07 feet to a point;

Thence 33°-05'-26" east along land of Patrick J. and Alice E. Melnik a distance of 363.76 feet to a point on the northerly side of Chesterfield Road;

Thence south 33°-05'-26" east along land of Patrick J. and Alice E. Melnik a distance of 363.76 feet to a point on the northerly side of Chesterfield Road;

Being that parcel shown on a plan dated May 15, 1978, by Almer Huntley, Jr., and Associates and containing 31,132 square feet.

Approved May 2, 1980.

Chap. 129. AN ACT PERMITTING LOCAL OPTION ON THE SIZE AND TERMS OF OFFICE OF CERTAIN TOWN BOARDS, COMMITTEES, AND OFFICES.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 4 of chapter 349 of the acts of 1978, 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 more years.

One or more collectors of taxes for the term of one or more years, unless the town votes otherwise or votes to authorize its treasurer to act as collector.

Three or more selectmen for the term of not more than three years, subject to the provisions of section twenty-one.

One or more assessors for the term of not more than three years.

One or more auditors for the term of one or more years, except where such office is abolished as provided in section fifty-five.

One or more highway surveyors for the term of one or more years; or one or more road commissioners for the term of one or more years.

One or more sewer commissioners for the term of one or more 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 more years, unless the town by vote or by-law provides that he shall be appointed.

One or more constables for a term of one or more years, unless the town by vote provides that they shall be appointed.

Three or more members of the school committee for terms of not more than three years.

Three or more assistant assessors, if the town so votes, for the term of not more than three years.

Three or more members of the board of health for the term of one or more 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.

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 representational method of election. In no case shall the term of any officer exceed five years.

Approved May 2, 1980.

Chap. 130. AN ACT RELATIVE TO CERTAIN ABANDONED PROPERTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is relative to the state treasurer obtaining custody of certain abandoned 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 149B of chapter 175 of the General Laws, as most recently amended by section 1 of chapter 474 of the acts of 1962, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- In addition to all other reports required by law, every life company shall, on or before the first day of April of each year, make a report in writing to the state treasurer of all unclaimed funds as defined in section one hundred and forty-nine A held or owing by it on the thirty-first day of December next preceding. The state treasurer may, for cause shown, extend the filing date of said report, for not more than sixty days beyond April first in said year.

SECTION 2. Said chapter 175 is hereby further amended by inserting after section 149D the following section:-

Section 149E. The state treasurer may at any reasonable time following reasonable notice examine the records of any life company to determine if said company has complied with the provisions of this chapter. In the event any life company refuses to permit the state treasurer to examine such records, the state treasurer shall petition the superior court for an order to allow the state treasurer or his agents to examine all appropriate business records of such person.

If the state treasurer believes that any life company has violated the provisions of section one hundred and forty-nine B by withholding or failing to report funds specified therein, the state treasurer shall petition the superior court for an order to require the holder thereof to surrender such unclaimed funds to him.

SECTION 3. Section 1 of chapter 200A of the General Laws is hereby amended by striking out the definition of "Abandoned property", as amended by section 1 of chapter 277 of the acts of 1975, and inserting in place thereof the following definition:-

(b) "Abandoned property", property presumed abandoned pursuant to this chapter.

SECTION 4. Said chapter 200A is hereby further amended by inserting after section 1 the following section:-

Section 1A. Unless otherwise provided, intangible personal property is presumed abandoned under this chapter if the conditions for presumption of abandonment stated in section three, four, five, five A, five B, six A or six B exist, and if any one of the following four conditions are met:-

(a) the last known address of the apparent owner is in the commonwealth as shown on the records of the person in possession of property;

(b) no address of the apparent owner appears on the records of the person in possession of the property and

(1) the last known address of the apparent owner is in the commonwealth, or

(2) the person in possession of property subject to this chapter is domiciled in the commonwealth and has not previously paid the property to the state of the last known address of the apparent owner, or

(3) the holder is a government or governmental subdivision or agency of the commonwealth and has not previously paid the property to the state of the last known address of the apparent owner;

(c) the last known address, as shown on the records of the person in possession of property, is in a state that does not provide by law for the escheat or custodial taking of such property and the person in possession of property is domiciled in the commonwealth or is a government or governmental subdivision or agency of the commonwealth; or

(d) the last known address, as shown on the records of the person in possession of property, of the apparent owner is in a foreign nation and the person in possession of property is domiciled in the commonwealth or is a subdivision or agency of the commonwealth.

SECTION 5. Paragraph (a) of section 2 of said chapter 200A, as appearing in section 1 of chapter 608 of the acts of 1975, is hereby amended by striking out, in line 3, the word "ten" and inserting in place thereof the word:- seven.

SECTION 6. Paragraph (b) of said section 2 of said chapter 200A, as so appearing, is hereby amended by striking out, in lines 1 and 3, the word "ten" and inserting in place thereof, in each instance, the word:- seven.

SECTION 7. Section 3 of said chapter 200A is hereby amended by striking out the word "ten", inserted by section 2 of said chapter 608, and inserting in place thereof the word:- seven.

SECTION 8. Said chapter 200A is hereby further amended by striking out sections 4 to 8, inclusive, and inserting in place thereof the following fifteen sections:-

Section 4. Subject to the provisions of section one A, any deposit of property made to secure payment for services rendered or to be rendered, or to guarantee the performance of service or duties, or to protect against damage or harm, and the increments thereof, shall be presumed abandoned, unless claimed by the person entitled thereto within seven years after the occurrence of the event that would obligate the holder or depository to return it or its equivalent.

Section 5. Subject to the provision of section one A, all intangible personal property including but not limited to all certificates of ownership, dividends, stocks, bonds, money, drafts and claims for money and credits, including gift certificates and the increments of any of them, except deposits and the increments thereon referred to in section three that are held or owing in the commonwealth in the ordinary course of the person's business, including all such property held by any fiduciary, shall be presumed abandoned unless claimed by the beneficiary or person entitled thereto within seven years after the date prescribed for payment or delivery. Any dividend, distribution, interest, accrual, or payment on principal declared, set aside, accumulated, provided for or owed with respect to property presumed abandoned under the foregoing provisions of this section shall itself be presumed abandoned. This section shall not apply to property subject to section six A.

Section 5A. (a) Subject to the provisions of section one A, funds held or owing by a life insurance company under any life or endowment insurance policy or annuity contract which has matured or terminated shall be presumed abandoned if unclaimed and unpaid for more than seven years after the funds became due and payable as established from the records of the company.

(b) If a person other than the insured or annuitant is entitled to the funds and no address of such person is known to the company or if it is not definite and certain from the records of the company what person is entitled to the funds, it is presumed that the last known address of the person entitled to the funds is the same as the last known address of the insured or annuitant according to the records of the company. This presumption is a presumption affecting the burden of proof.

(c) A life insurance policy not matured by actual proof of the death of the insured according to the records of the company is deemed to be matured and the proceeds due and payable if:-

(1) the insured has attained, or would have attained if he were living, the limiting age under the mortality table on which the reserve is based;

(2) the policy was in force at the time the insured attained, or would have attained, the limiting age specified in paragraph (1); and,

(3) neither the insured nor any other person appearing to have an interest in the policy has within the preceding seven years, according to the records of the company (i) assigned, readjusted, or paid premiums on the policy, (ii) subjected the policy to loan, or (iii) corresponded in writing with the life insurance company concerning the policy.

(d) Any funds otherwise payable according to the records of the company are deemed due and payable although the policy or contract has not been surrendered as required.

Section 5B. (a) Subject to section one A, any dividend, profit, distribution, interest, payment on principal, or other sum held or owing by a business association for or to its shareholder, certificate holder, member, bondholder, or other security holder, or a participating patron of a cooperative, who has not claimed it, or corresponded in writing with the business association concerning it, or otherwise indicated an interest as evidenced by a memorandum or other record on file with the association within seven years after the date prescribed for payment or delivery is presumed abandoned.

(b) Subject to section one A, any intangible interest in a business association, as evidenced by the stock records or membership records of the association is presumed abandoned if (1) the interest in the association is owned by a person who for more than seven years has neither claimed a dividend or other sum referred to in subsection (a) nor corresponded in writing with the association or otherwise indicated an interest as evidenced by a memorandum or other record on file with the association and (2) the association does not know the location of the owner at the end of such seven year period. With respect to such interest the business association shall be deemed the holder.

(c) Subject to section one A, any dividends or other distributions held for or owing to a person at the time the stock or other security to which they attach are presumed abandoned also shall be presumed abandoned as of the same time.

(d) For the purposes of subsection (a) and (b) of this section a record of the sending of an Internal Revenue Service Form 1099, or its equivalent, to the persons enumerated in those subsections and a record of its not being returned by the United States Postal Service or its successor, shall be an indication of interest.

Section 5C. All employee benefit trust distributions and any income or other increment thereon shall be presumed abandoned if the owner within seven years after it becomes payable or distributable has not accepted the distribution, corresponded in writing concerning the distribution, or otherwise indicated an interest as evidenced by a memorandum or other record on file with the fiduciary of the trust or custodial fund or administrator of the plan under which the trust or fund is established.

Section 6. Monies paid into any court within the commonwealth for distribution, and the increments thereof, shall be presumed abandoned if not claimed within seven years after the date of payment into court, or as soon after the seven year period as all claims filed in connection with it have been disallowed or settled by the court.

Section 6A. All property distributable in the course of a voluntary or involuntary dissolution or liquidation of a person that remains unclaimed by the person entitled thereto, within one year after the date of final distribution or liquidation, shall be presumed abandoned. This section shall apply to all tangible personal property located in the commonwealth and subject to the provisions of section one A to all intangible personal property.

Section 6B. (a) Subject to the provisions of section one A and subsection (b) of this section, any sum payable on a certified check, draft, cashier's check, treasurer's check, registered check, money order, traveler's check, or other similar written instrument, other than a third-party bank check, on which a person is directly liable shall be presumed abandoned under this section if it has been outstanding for more than seven years from the date it was payable, or from the date of its issuance, if payable on demand, or in the case of traveler checks has been outstanding for more than fifteen years from the date of its issuance, unless the owner has within seven years, or within fifteen years in the case of travelers checks, corresponded in writing with the person concerning it, or otherwise indicated an interest as evidenced by a memorandum on file with the person. A new person is directly liable if it is the actual holder of the fund representing the face amount of any such instrument at the time of presumed abandonment hereunder.

(b) Any sum payable on a money order, travelers check, certified check, draft, cashiers check, treasurer's check, or other similar written instrument, other than a third-party bank check, on which a person is directly liable is presumed abandoned if:-

(1) the books and records of such person show that such money order, certified check, registered check, draft, cashiers check, treasurer's check, travelers check, or similar written instrument was purchased in the commonwealth;

(2) the person has its principal place of business in this commonwealth and its books and records do not show the state in which such money order, certified check, draft, cashiers check, treasurer's check, travelers check, or similar written instrument was purchased; or

(3) the person has its principal place of business in the commonwealth and its books and records show the state in which such certified check, registered check, draft, cashiers check, treasurer's check, money order, travelers check, or similar written instrument was purchased, and the laws of the state of purchase do not provide for the escheat or custodial taking of the sum payable on such instrument.

(c) Notwithstanding the provisions of subsection (b) this section shall apply to sums payable on certified checks, drafts, cashiers checks, treasurer's checks, money orders, travelers checks, registered checks and similar written instruments deemed abandoned on or after February first, nineteen hundred and sixty-five, except to the extent that such sums have been paid over to a state prior to January first, nineteen hundred and seventy-four. For the purposes of this subsection, the words "deemed abandoned" shall have the same meaning as those words have as used in an Act of Congress identified in Section 604 of Public Law 93-495 and approved on October twenty-eighth, nineteen hundred and seventy-four, (88th Statutes at Large 1500).

(d) Sums payable on certified checks, drafts, cashiers checks, treasurer's checks, money orders, travelers checks, and similar written instruments deemed abandoned prior to February first, nineteen hundred and sixty-five, shall be reportable pursuant to subsection (a).

Section 6C. (a) Any person that sells in the commonwealth certified checks, drafts, cashiers checks, treasurer's checks, registered checks, travelers checks, money orders, or other similar written instruments on which such person is directly liable, or that provides such certified checks, drafts, cashiers checks, treasurer's checks, registered checks, travelers checks, money orders, or similar written instruments to others, for sale in the commonwealth shall maintain a record indicating those travelers checks, money orders, or similar written instruments that are purchased from it in the commonwealth.

(b) The records required by this section must be retained for period of seven years from the date the report is filed.

(c) Any person that willfully fails to comply with this section shall be liable to the commonwealth for a civil penalty of five hundred dollars for each day of failure to comply, which penalty may be recovered in an action brought by the treasurer.

Section 7. (a) Every person holding property declared by this chapter to be presumed abandoned shall report to the treasurer as provided in this section.

(b) The report shall be on a form prescribed by the treasurer and shall include:-

(1) Except with respect to traveler's checks, registered checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of the value of twenty-five dollars or more presumed abandoned under this chapter.

(2) In the case of presumed abandoned funds of life insurance companies, the full name of the insured or annuitant, and his last known address, according to the records of the life insurance company.

(3) The nature and identifying number, if any, or description of any intangible property and the amount appearing from the records to be due, except that items of value under twenty-five dollars each may be reported in aggregate.

(4) Except for any property reported in the aggregate, the date when the property became payable, demandable, or returnable, and the date of the last transaction with the owner with respect to the property.

(5) Other information which the treasurer prescribes by rule as necessary for the administration of this section.

(c) If the holder is a successor to other persons who previously held the property for the owner, or if the holder has changed his name while holding the property, he shall file with his report all prior known names and addresses of each holder of the property.

(d) The report shall be filed no later than November first of each year as of June thirtieth or the end of the fiscal year next preceding but the report of life insurance companies shall be filed before May first of each year as of December thirty-first next preceding.

(e) The report shall be made under penalty of perjury, and if made by an individual, by the individual; if made by a partnership, by a partner; if made by an unincorporated association or private corporation, by an officer; and, if made by a public corporation, by its chief fiscal officer.

Section 7A. If the person in possession of property in an amount of five dollars or more presumed abandoned under this

chapter has the last known address of the apparent owner, the holder shall at least ninety days before filing the annual report send a notice by first class mail to inform the owner of the process necessary to rebut the presumption of abandonment.

Section 7B. Every person required to file a report under section seven, except holders in possession of property subject to section six C, shall, as to any property for which it has obtained the address of the owner, maintain a record of the name of the owner and last known address for seven years or such other period as the treasurer shall prescribe by regulation.

Section 8. (a) The treasurer shall cause a notice to be published, not later than March first, or in the case of life insurance companies September first of the same year following the report, at least once a week for two consecutive weeks in a newspaper of general circulation which is printed in English in each county in which an apparent owner had a last known address. Said notice shall contain:-

(1) the last known address, as listed in the reports, of any person named in the reports as the apparent owner of property presumed abandoned under this chapter; or

(2) if no address of any apparent owner named in the reports is listed or if the address listed in the reports is outside the commonwealth, the principal place of business, if any, within the commonwealth of the holder of the property presumed abandoned.

(b) Each published notice shall be entitled "notice of names of persons appearing to be owners of abandoned property", and shall contain the names in alphabetical order and last known addresses, if any, of:-

(1) those apparent owners listed in the reports as having a last known address within the county;

(2) those apparent owners listed as having a last known address outside this commonwealth or as having no last known address in a report filed by a holder with his principal place of business within the county; and

(3) the insured or annuitant in the case of funds described in section five A if: (i) the report does not list the name of the apparent owner and his last known address; and (ii) the last known address of the insured or annuitant is within the county.

(c) Each published notice shall also contain:

(1) a statement that information concerning the amount or description of the property and the name and address of the holder may be obtained by any persons possessing an interest in the property by addressing an inquiry to the treasurer.

(2) a statement that, if proof of claim is not presented by the owner to the holder and if the owner's right to receive the property is not established to the holders satisfaction before April first, or October first in the case of life insurance companies, the property will be placed not later than May first, or

November first in the case of life insurance companies, in the custody of the treasurer and all further claims must thereafter be directed to the treasurer.

(d) The treasurer is not required to publish in such notice any items of less than twenty-five dollars value unless he deems such publication to be in the public interest.

(e) By March first or September first in the case of life insurance companies, the treasurer shall mail a notice to each person having an address listed therein who appears to be entitled to property of the value of twenty-five dollars or more presumed abandoned under this chapter.

(f) The mailed notice shall contain:-

(1) a statement that, according to a report filed with the treasurer, property is being held to which the addressee appears entitled;

(2) the name and address of the person holding the property and any necessary information regarding changes of name and address of the holder; and

(3) a statement that, if satisfactory proof or claim is not presented by the owner to the holder by the date specified in the published notice the property will be placed in the custody of the treasurer and all further claims must be directed to the treasurer.

(g) This section shall not apply to sums payable on travelers checks, money orders, and similar written instruments that are presumed abandoned under section six B.

Section 8A. (a) Except as otherwise provided in paragraphs (b) and (c) every person who has filed a report as provided by section seven shall by May first, or in the case of life insurance companies November first, pay or deliver to the treasurer all property presumed abandoned specified in the report.

(b) If any person establishes his right to receive any property specified in the report to the satisfaction of the holder before such property has been delivered to the treasurer, or if it appears that for some other reason the property is not to be presumed abandoned under this section, the holder need not pay or deliver the property to the treasurer, but in lieu thereof shall file with the treasurer a written explanation of the proof of claim or the reason the property is not to be presumed abandoned.

(c) In the case of sums payable on travelers checks, registered checks and money orders presumed abandoned under section six B, or any other sums reported pursuant to section seven for which the holder has not reported the name of the apparent owner, such sums shall be paid to the treasurer not later than twenty days after the final date for filing the report.

(d) Payment of any intangible property to the treasurer shall be made at the office of the treasurer in Boston or at such other location as the treasurer by regulation may designate.

Section 8B. (a) At any time after property has been paid or delivered to the treasurer under this chapter, another state is entitled to recover the property if:-

(1) for property presumed abandoned under clause (b) of section one A because no address of the apparent owner of the property appeared on the records of the holder when the property was presumed abandoned under this chapter, the last known address of the apparent owner was in fact in such other state, and, under the laws of the state, the property escheated to or was subject to the custodial taking of that state;

(2) the last known address of the apparent owner of the property appearing on the records of the holder is in such other state and, under the laws of that state, the property escheated to or was subject to the custodial taking of that state;

(3) the property is the sum payable on a travelers check, registered check, money order, or other similar instrument that was presumed abandoned under section six B, the travelers check, registered check, money order, or other similar instrument was in fact purchased in such other state, and under the laws of that state, the property escheated to or was subject to the custodial taking of that state.

(b) The claim of another state to recover abandoned property under this section shall be presented in writing to the treasurer, who shall consider the claim within ninety days after it is presented. He may hold a hearing and receive evidence. He shall allow the claim if he determines that the other state is entitled to the abandoned property.

(c) Subparagraphs (1) and (2) of paragraph (a) shall not apply to property described in subparagraph (3) of said paragraph (a).

SECTION 9. Section 9 of said chapter 200A, as most recently amended by section 11 of chapter 377 of the acts of 1969, is hereby further amended by striking out paragraphs (d) and (e) and inserting in place thereof the following two paragraphs:-

(d) All monies received by the treasurer from the holder thereof, or from the liquidation of the property under paragraphs (a) to (c), inclusive, shall be placed in a special fund as provided in paragraph (e) after deducting therefrom the costs incurred in connection with any liquidation of abandoned property, any costs of mailing and publication in connection with any abandoned property, and cost incurred in examining records of holders of abandoned property and collecting such property from such holders and reasonable service charges.

(e) Monies received by the treasurer under the proceedings of this chapter shall be placed in a special fund to be known as the Abandoned Property Fund. Whenever such fund exceeds five hundred thousand dollars, the excess shall be credited to the General Fund. Payments made by the treasurer under the

provisions of paragraph (e) of section ten shall be made from said Abandoned Property Fund.

SECTION 10. Section 10 of said chapter 200A, as most recently amended by section 12 of chapter 377 of the acts of 1969, is hereby further amended by striking out paragraph (e) and inserting in place thereof the following paragraph:-

(e) If the validity of a claim shall be determined in favor of the claimant, the treasurer shall pay over to the claimant only that amount which the treasurer actually received together with interest at the rate of one-twelfth of one per cent per month from the time when it was received by the treasurer to the time when it was paid by him to the claimant; provided, however, that if the property claimed was interest bearing to the owner on the date of surrender by the holder then the treasurer shall instead add interest at a rate not to exceed five-twelfths of one per cent per month or such lesser rate as the property earned while in the possession of the holder. Such interest on interest bearing property shall begin to accumulate on the date property is delivered to the state treasurer and shall cease on the earlier of the expiration of fourteen years following delivery or the date on which payment is made to the owner. No interest on such interest bearing property shall be payable for any period prior to the effective date of this paragraph. Any holder who pays to the owner property which has been delivered to the commonwealth and which if claimed from the treasurer, would be subject to this section as interest-bearing property shall add interest as provided in this section. Such added interest shall be repaid to the holder by the treasurer in the same manner as the principal.

SECTION 11. Said section 10 of said chapter 200A is hereby further amended by adding the following paragraph:-

(e) All claims previously administered under the provisions of sections one hundred and forty-nine A to one hundred and forty-nine D, inclusive, of chapter one hundred and seventy-five shall be administered under the provisions of this section.

SECTION 12. Said chapter 200A is hereby further amended by striking out sections 11 to 14, inclusive, and inserting in place thereof the following six sections:-

Section 11. (a) At the request of another state, the attorney general may bring an action in the name of such other state in any court of competent jurisdiction in the commonwealth, or federal court within the commonwealth, to enforce the unclaimed property laws of such other state against a holder in the commonwealth of property subject to escheat or a claim of abandonment by such other state, if the other state has agreed to pay reasonable costs incurred by the attorney general in bringing the action.

(b) If the treasurer believes that a person in another state holds property subject to a claim of abandonment by the common-

wealth under this chapter, the treasurer may request that the attorney general of the other state, or any other person, bring an action in the name of the commonwealth to enforce the provisions of this chapter against such person.

(c) The commonwealth shall pay all reasonable costs incurred in any action brought under the authority of this section. The treasurer may agree to pay to any person bringing such an action a fee not to exceed ten per cent of the value, after deducting reasonable costs, of any property recovered for the commonwealth as a direct or indirect result of the action; provided, however, that any cost or fee paid pursuant to this section shall not be deducted from the amount that is subject to the claim by the owner in accordance with this chapter.

(d) The treasurer may enter into an agreement to provide information needed to enable another state to audit or otherwise determine unclaimed property it may be entitled to escheat or subject to a claim of custody as abandoned property. The treasurer may, by regulation, require the reporting of information needed to enable him to comply with agreements made pursuant to this section and may prescribe the form including verification of the information to be reported and the time for filing of the reports.

Section 12. (a) The treasurer may at any reasonable time and upon reasonable notice examine the records of any person to determine if said person has complied with the provisions of the chapter. In the event such person refuses to permit the treasurer to examine such records, the treasurer shall petition the superior court for an order to allow the treasurer or his agents to examine all appropriate business records of such person.

(b) If the treasurer believes that the holder of property has violated the provisions of section seven, he shall petition the superior court for an order to require the holder thereof to turn over said property to him.

(c) If the court shall determine that the holder of such property has violated the provisions of section seven, he shall be liable to a penalty of not more than five hundred dollars; provided, however, that no person shall be penalized for failure to report property as provided herein if the court shall find that such person has acted in good faith.

(d) In the event that the superior court shall order the holder of property to turn over said property to the treasurer pursuant to paragraph (b), the court may include in said order a per diem rate of one hundred and fifty dollars per examiner as the cost of conducting the examination provided for in paragraph (a).

(e) In addition to any damages, penalties, or fines for which a person may be liable under other provisions of law, any person who fails to report or deliver unclaimed property within the

time prescribed by this chapter, shall pay to the treasurer interest at the rate of twelve per cent per annum, or such adjusted rate as is hereinafter established under Title 26, section 6621 of the United States Code, on such property or value thereof from the date such property should have been paid or delivered.

Section 13. No agreement entered into within two years after the date a report is filed under paragraph (d) of section seven shall be valid if any person thereby undertakes to locate property included in that report for a fee or other compensation exceeding twenty per cent of the value of the recoverable property. Such an agreement shall be valid only if it is in writing, signed by the owner, discloses the nature and value of the property, and the owners share after the fee or compensation has been subtracted is clearly stipulated. The fee or compensation shall not exceed thirty-five per cent at any time. Nothing in this section shall be construed to prevent an owner from asserting, at any time, that any agreement to locate property is based upon excessive or unjust consideration.

Section 13A. The treasurer is hereby authorized to make necessary rules and regulations to carry out the provisions of this section.

Section 13B. The treasurer is hereby empowered to extend the date for filing of a report and turning over property for a period up to two months upon written request of a holder if he deems such extension is warranted. Where such extension is granted the requirement for notice and publication by the treasurer shall be extended by a like period not to exceed two months.

Section 14. Nothing in this chapter shall be construed to affect the provisions of section thirteen of chapter eighteen; section six of chapter one hundred and fifteen A; section seven, eight and nine of chapter one hundred and twenty-two; section twenty-seven of chapter one hundred and twenty-three; sections ninety-six A and ninety-six B of chapter one hundred and twenty-seven; section five A of chapter one hundred and twenty-eight A; chapter one hundred and thirty-four; chapter one hundred and thirty-five; and, sections six A, six B, six C and six D of chapter one hundred and forty-seven.

SECTION 13. Said chapter 200A is hereby further amended by inserting after section 15 the following three sections:-

Section 15A. The payment or delivery of any property except property other than cash, whether or not payable or deliverable under this chapter, to the treasurer by any holder shall terminate any legal relationship between the holder and the owner and shall release and discharge such holder from any and all liability to the owner, his heirs, personal representatives, successors and assigns and any state or governmental agency,

whether federal or foreign, by reason of such delivery or payment, regardless of whether such property, and such delivery and payment may be pleaded as a bar to recovery, and shall be a conclusive defense in any suit or action brought by such owner, his heirs, personal representatives, successors and assigns, or any state or governmental agency whether federal or foreign, or any other claimant against the holder by reason of such delivery or payment.

Section 15B. The holder of any interest under section five B shall deliver a duplicate certificate to the treasurer within the time specified in section eight A. Upon delivery to the treasurer, the holder and any transfer agent, registrar, or other person acting for or on behalf of the holder in executing or delivering such duplicate certificate shall be relieved from any liability to any person, including, but not limited to, any person acquiring the certificate presumed abandoned or the certificate issued to the treasurer, for any losses or damages resulting to such person by the issuance and delivery to the treasurer of such duplicate certificates. The issuance and delivery of a duplicate certificate pursuant to this section shall constitute the surrender of the said interest evidenced thereby within the meaning of paragraph (a) of section nine and paragraph (a) of section eleven.

Section 15C. In connection with property heretofore or hereinafter reportable or reportable under this chapter, no holder may impose any charges in respect of dormancy or inactivity on a savings or checking account or cease payment of interest unless:-

(1) such charges and such cessation of interest are provided for in a valid, enforceable and written contract between the holder and the customer which specifies the amount of such charges and that interest will cease;

(2) the customer is notified prior to the imposition of such charges and cessation of interest; and

(3) it is not the policy of the holder to waive such charges or to restore interest. No holder shall deduct from the amount of any draft, registered check, money order, certified check, cashier's check or treasurer's check or any similar written instrument any charges imposed by reason of the failure to present such items for encashment unless such charges are provided for in a valid enforceable and written contract and it is not the policy of the holder to waive such charges.

SECTION 14. If a court of competent jurisdiction, after all rights of appeal from a decision of such a court have been exhausted or have expired, should hold that property presumed abandoned under said chapter two hundred A and sections one hundred and forty-nine A to one hundred and forty-nine C, inclusive, of chapter one hundred and seventy-five of the Gen-

eral Laws would not have been presumed abandoned prior to the effective date of this act, then such property received by any person seven or more years prior to the effective date of this act shall not be presumed abandoned.

SECTION 15. The commissioner of insurance shall deliver to the treasurer all records filed prior to the effective date of this act under the provisions of section one hundred and forty-nine B of chapter one hundred and seventy-five of the General Laws.

SECTION 16. On the effective date of this act the provisions of section one hundred and forty-nine A of chapter one hundred and seventy-five of the General Laws shall apply to property reportable prior to the effective date of this act.

Approved May 5, 1980.

Chap. 131. AN ACT FURTHER REGULATING CONDITIONS OF EMPLOYMENT FOR CERTAIN WORKERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by striking out section 17, as most recently amended by section 6 of chapter 760 of the acts of 1970, and inserting in place thereof the following section:-

Section 17. For the enforcement of the provisions of this chapter, the commissioner, the assistant commissioner and the associate commissioners, and the director, inspectors, and other representatives of the division of industrial safety may enter places of employment, other than places of employment of persons engaged in domestic service in the home of the employer, and examine the methods of protection from accident, the means of escape from fire, the sanitary provisions, the lighting and means of ventilation, and make investigations as to the employment of minors and as to compliance with all provisions of this chapter, and shall have access to all records pertaining to wages, hours, and other conditions of employment which are found essential to such investigations.

SECTION 2. Sections fifty-three and fifty-three A of said chapter one hundred and forty-nine are hereby repealed.

SECTION 3. Section 56 of said chapter 149 is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 374 of the acts of 1974, and inserting in place thereof the following paragraph:-

No minor shall be employed or permitted to work in, or in connection with, any factory or workshop, or any manufacturing, mercantile or mechanical establishment, telegraph office or telephone exchange, or any express or transportation company, or any private club, or any office, letter shop or financial

institution, or any laundry, hotel, manicuring or hairdressing establishment, or any motion picture or other theatre or any other place of amusement, or any garage, or any hospital in a nonprofessional capacity, or in any beauty culture, weight reducing or other similar establishment, or be employed as an elevator operator, or as a switchboard operator in a private exchange, or in domestic service in the home of the employer, more than nine hours in any one day, and, except as to transportation or telephone companies, and except as to hotels, private clubs and places of amusement where the employment is determined by the department to be by seasons, and except as to hotels where meals are served only during three separate periods totalling not more than seven hours in any one day and the employment is connected with the serving of said meals, if the work so performed by such a minor in one day is not continuous, but is divided into two or more periods, the work of such minor shall be so arranged that all such periods of work shall fall within a period of not exceeding ten consecutive hours, except that in the case of mercantile establishments such periods of work may fall within a period of not exceeding eleven and one-half consecutive hours during a total of not more than seven days in any calendar year of which six shall be six weekdays within a period of four weeks immediately preceding Christmas and the seventh the Saturday immediately preceding Easter, except that in any place of employment where the principal source of income of certain employees is in tips or gratuities, upon the written petition of not less than sixty per cent of such employees, the commissioner may allow such periods of work to fall within a period not exceeding twelve consecutive hours; and in no case shall the hours of labor exceed forty-eight in a week, except that in manufacturing establishments or hotels where the employment is determined by the department to be by seasons, the number of such hours in any week may exceed forty-eight, but, except in the work of fish processing when necessary in the judgment of the commissioner, and then only during the months of June, July, August, September and October, shall not exceed fifty-two, provided that the total number of such hours in any year shall not exceed an average of forty-eight hours a week for the whole year, excluding Sundays and holidays; and if any minor shall be employed or permitted to work in more than one such place, the total number of hours of such employment shall not exceed forty-eight hours in any one week. The hours of labor of nonprofessional employees in a nursing or convalescent home, or rest home, or charitable home for the aged shall not exceed forty-eight hours in any one week. The commissioner may grant authority for office workers to exceed nine hours of labor in any one day; provided, that the hours of labor of such workers shall not exceed forty-eight in a week. Every

employer, except those hereinafter designated, and except employers of persons in domestic service in the employer's home, shall post and keep posted in such manner as the commissioner may require in a conspicuous place in every room where such persons are employed a printed notice stating the number of hours' work required of them on each day of the week, the hours of beginning and stopping work, and the hours when the time allowed for meals begins and ends, or, in case of mercantile establishments and of establishments exempted from section one hundred, the time, if any, allowed for meals. The employment of any such person at any time, other than as stated in said printed notice, shall be deemed a violation of this section unless such employment was to make up time lost on a previous day of the same week by reason of stopping, for not less than thirty consecutive minutes, of machinery upon which such person was employed or dependent for employment and unless a written report of the date, hour and duration of the stopping of such machinery is sent to the department within forty-eight hours of its occurrence; nor shall such overtime employment be authorized because of the stopping of machinery for the celebration of any holiday. Every employer engaged in furnishing public service, or in any other kind of business in respect to which the department shall find that public necessity or convenience requires the employment of minors by shifts during the different periods or parts of the day, shall post and keep posted in such manner as the commissioner may require in a conspicuous place in every room where such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the amount of time allowed for meals. A list by name of the employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by employees and by officers charged with enforcement of this law. In cases of extraordinary emergency or extraordinary public requirement, this section shall not apply to employers engaged in public service or in other kinds of business in which shifts may be required as hereinbefore stated, but no such emergency or public requirement shall justify a variance from the preceding requirements of this section until a written report of the day and hour of its occurrence and its duration is sent to the department. This section shall not apply to persons who are declared by the commissioner to be employed in a professional, executive, administrative or supervisory capacity or as personal secretaries. The commissioner may grant authority for employees of hospitals to be employed for more than nine hours in one day and forty-eight hours in one week and outside of a period of ten consecutive hours, or for employees of nursing or convalescent homes, rest homes and charitable homes for the aged to be employed for more than forty-eight hours in one week, if he finds that an emergency exists.

SECTION 4. Said chapter 149 is hereby further amended by striking out section 58, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 58. Any law restricting the hours of minors laboring in factories or workshops, or in mercantile, manufacturing or mechanical establishments shall, unless it is otherwise expressly provided, apply to minors operating elevators in such establishments, or in any building occupied in whole or in part by any such establishment, or in any office building.

SECTION 5. Said chapter 149 is hereby further amended by striking out section 102, as so appearing, and inserting in place thereof the following section:-

Section 102. If a minor shall, without the orders, consent or knowledge of the employer or of the superintendent, overseer or other agent of the employer, labor in a manufacturing or mechanical establishment, factory or workshop during a part of any time allowed for meals in such establishment, factory or workshop, according to the notice required by section fifty-six, and if a copy of such notice was posted in a conspicuous place in the room where such labor was performed, with a rule of the establishment, factory or workshop forbidding such minor to labor during such time, neither the employer nor a superintendent, overseer or other agent of the employer shall be held responsible for such labor.

SECTION 6. Section 105A of said chapter 149, as most recently amended by chapter 180 of the acts of 1951, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- No employer shall discriminate in any way in the payment of wages as between the sexes, or pay any person in his employ salary or wage rates less than the rates paid to employees of the opposite sex for work of like or comparable character or work on like or comparable operations; provided, however, that variations in rates of pay shall not be prohibited when based upon a difference in seniority.

SECTION 7. Section 137 of said chapter 149, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The proprietor of every foundry engaged in the casting of iron, brass, steel or other metal, and employing ten or more persons, shall establish and maintain, except in towns where it would be impracticable by reason of the absence of public or private sewerage or of any running water system, a toilet room of suitable size and condition for such persons to change their clothes therein, and provided with wash bowls, sinks or other suitable set appliances connected with running hot and cold water, and also a water closet connected with running water and separated from the said toilet room.

SECTION 8. Section 141 of said chapter 149, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Every person carrying on a mercantile establishment where twenty or more persons are employed shall in the manner aforesaid provide such medical and surgical chest as the department may require.

SECTION 9. Said chapter 149 is hereby further amended by striking out sections 158 and 158A, as so appearing, and inserting in place thereof the following two sections:-

Section 158. Deductions shall not be made from the wages of persons paid by the day or hour, and employed in the manufacturing or mechanical establishments, while machinery is stopped, if said persons are refused the privilege of leaving the mill while the damage to said machinery is being repaired; and if they are detained in their workrooms during such time they shall not be compelled to make up time lost by such stopping unless compensated therefor at their regular rates of wages. Whoever violates this section shall be punished by a fine of not more than twenty dollars.

Section 158A. Whoever requires or permits any person, as a condition of securing employment, to work in any factory, workshop, manufacturing, mechanical or mercantile establishment without monetary compensation shall be punished by a fine of not more than fifty dollars.

SECTION 10. The third paragraph of subsection (c) of section 25 of chapter 151A of the General Laws is hereby amended by striking out clause (4).

Approved May 5, 1980.

Chap. 132. AN ACT ESTABLISHING A PENALTY FOR THE CONVEYANCE OF REAL ESTATE TO EVADE CERTAIN NOTICES OR ORDERS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 127N the following section:-

Section 127 O. Any person who conveys a parcel of real estate with the intent to evade a notice or order, issued pursuant to sections one hundred and twenty-two to one hundred and twenty-seven B, inclusive, and sections one to three A, inclusive, of chapter one hundred and thirty-nine, section six to nine, inclusive, of chapter one hundred and forty-three, the state sanitary code, the state building code, or chapter forty A, shall be punished by a fine of not more than two thousand dollars or by imprisonment in a house of correction or jail for not more than one year, or both.

The amount of consideration or the relationship of the grantor to the grantee shall be evidence of such intent to evade a notice or order under the provisions of this section.

Approved May 5, 1980.

Chap. 133. AN ACT AUTHORIZING THE MASSACHUSETTS TURNPIKE AUTHORITY TO ACQUIRE CERTAIN LAND FOR THE PURPOSE OF PROTECTING AND PRESERVING THE MASSACHUSETTS TURNPIKE AND OTHER HIGHWAY TRANSPORTATION.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Turnpike Authority is hereby authorized to acquire from the town of Weston by eminent domain under the provisions of chapter seventy-nine of the General Laws or by purchase or otherwise, on such terms and conditions and in such manner as said Authority may deem proper, two parcels of land located in said town and formerly used as sources of water, said parcels being described as follows: that certain parcel of land described in a deed from Benjamin S. Blake to the Town of Weston registered as Document No. 176065 with the Middlesex South Registry District of the Land Court and shown as Lot C1 on Land Court Plan No. 2453D filed with the Middlesex South Registry District of the Land Court at Book 334, Page 173, with Land Court Certificate No. 49939; and that certain parcel of land described in a deed from Agnes Blake Fitzgerald to the Town of Weston registered as Document No. 272543 with the Middlesex South Registry District of the Land Court and shown as Lot 1 on Land Court Plan No. 2453G filed with the Middlesex South Registry District of the Land Court at Book 526, page 7, with Land Court Certificate No. 79157, together with all easements and rights appertaining to said parcels or either of them.

SECTION 2. Said Authority is hereby authorized to hold, to use, and to lease to others for uses related to the operation and maintenance of the Massachusetts Turnpike, the land and rights acquired by said Authority pursuant to section one for all purposes for which it may hold and use land and rights pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two. Said Authority is hereby further authorized to lease and to dispose of said land and rights therein, subject, however, to the zoning by-laws applicable in the town of Weston, to the extent provided for in said chapter three hundred and fifty-four.

SECTION 3. This act shall take effect upon acceptance by the town of Weston by a majority vote of an annual or special town meeting to be held in the current year.

Approved May 5, 1980.

EMERGENCY LETTER - May 5, 1980 @ 5:04 P.M.

Chap. 134. AN ACT RELATIVE TO CERTAIN CHANGES IN THE ELECTION LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make certain changes in the election 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. Section 7 of chapter 53 of the General Laws, as most recently amended by section 2 of chapter 927 of the acts of 1977, is hereby further 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 2. Said section 7 of said chapter 53 is hereby further amended by striking out the seventh paragraph.

SECTION 3. The first paragraph of section 10 of said chapter 53, as most recently amended by section 3 of chapter 927 of the acts of 1977, is hereby further amended by adding the following sentence:- Nomination papers for presidential elector shall be filed on or before the first Tuesday in June of the year in which a presidential election is to be held.

SECTION 4. Section twenty-seven of said chapter fifty-three is hereby repealed.

SECTION 5. The first paragraph of section 46 of said chapter 53, as appearing in section 11 of chapter 927 of the acts of 1977, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Every nomination paper of a candidate for president at the presidential primaries 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 Sec-

retary. 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 completed no later than the fourth day before the final day for filing said papers with the state secretary.

SECTION 6. Said section 46 of said chapter 53 is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

The provisions of section seven relative to the number of names to be certified and received, and, except as otherwise provided in this section, the provision relative to time of certification 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 primaries before special elections the meetings shall be held on the two Tuesdays next preceding such date, and 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.

SECTION 7. The first paragraph of section 70E of said chapter 53, as appearing in section 16 of chapter 600 of the acts of 1975, is hereby amended by striking out the last sentence.

SECTION 8. Section 4 of chapter 55B of the General Laws, as appearing in section 14 of chapter 927 of the acts of 1977, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:-

The commission may investigate upon objection made in accordance with the provisions of this chapter 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 an initiative or referendum on a state ballot.

The commission shall have jurisdiction over and render a decision on any matter referred to it, pertaining to the statutory and constitutional qualifications of any nominee for state, national or county office; the certificates of nomination or nomination papers filed in any presidential or state primary, state 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 initiative or referendum petitions, or any other objection relating to the

signatures on such petitions. The commission shall have no jurisdiction with respect to public policy questions, city or town candidates and ballot questions, except city initiative petitions authorized under section thirty-eight of chapter forty-three.

SECTION 9. Section 5 of said chapter 55B, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Objections to certificates of nomination and nomination papers for candidates at a presidential primary and for candidates for presidential elector, senator in congress, representative in congress, governor, lieutenant governor, attorney general, treasurer and receiver general, state auditor, state secretary, representative in the general court, senator in the general court, councillor, and county offices at a state primary or at a state election shall be filed with the state secretary 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.

SECTION 10. Section 6 of said chapter 55B, as so appearing, is hereby amended by inserting before the first sentence the following sentence:- This section applies only to candidates for president who file nomination papers to be placed on the ballot at presidential primaries, and to all candidates at regular state primaries and biennial state elections.

SECTION 11. Section 15 of chapter 927 of the acts of 1977 is hereby amended by striking out, in line 4, the word "seventy-eight" and inserting in place thereof the word:- seventy-nine.

SECTION 12. Said chapter 927 is hereby further amended by striking out section 16 and inserting in place thereof the following section:-

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 fourteen of this act, two shall be appointed for terms expiring February first, nineteen hundred and eighty and two for terms expiring February first, nineteen hundred and eighty-one and their successors shall be appointed for terms of two years.

Approved May 5, 1980.

Chap. 135. AN ACT PROVIDING FOR THE REGISTRATION OF PHARMACIES RESTRICTED TO FURNISHING PRESCRIPTION DRUGS AND PHARMACEUTICAL SERVICES TO BENEFICIARIES OF HEALTH, WELFARE, AND RETIREMENT FUNDS.

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

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by inserting after section 39 the following section:-

Section 39A. The board may, upon application of the plan administrator or trustee of any trust, fund, pension plan, combination plan or profit sharing plan, which is subject to the provisions of chapter one hundred and fifty-one D, register a facility, hereinafter called a restricted pharmacy, for the limited transaction of the drug business as defined in section thirty-seven. A restricted pharmacy may furnish pharmacy services only to beneficiaries, as defined in section one of said chapter one hundred and fifty-one D, of said trust, fund, pension plan, combination plan or profit sharing plan and who reside in the commonwealth or in any other New England state. Charges for such services shall be determined by said trustee or plan administrator. A restricted pharmacy may, after written notice to the board limit its operation to a specific schedule of drugs.

Said board shall determine which regulations, applicable to a retail drug business registered under section thirty-nine shall apply to a pharmacy registered under this section and may establish, subject to the provisions of section two of chapter thirty A, regulations which shall apply only to a restricted pharmacy.

Nothing in this section shall prohibit a restricted pharmacy from accepting and filling prescriptions by mail; provided, however, that the prescribing physician is verified, according to procedures established by the board, as licensed to practice in the commonwealth or in any New England state.

SECTION 2. Section 40 of said chapter 112, as most recently amended by section 5 of chapter 343 of the acts of 1927, is hereby further amended by striking out, in line 2, the words "the preceding section" and inserting in place thereof the words:- section thirty-nine or thirty-nine A.

SECTION 3. The board of registration in pharmacy shall, until rules and regulations are promulgated under the provisions of section thirty-nine A of chapter one hundred and twelve of the General Laws, issue a temporary restricted pharmacy license under the provisions of section thirty-nine A to any applicant; provided, however, such temporary licensee shall be required to file an application for a permanent restricted license upon notification by said board that such application is available

for submission; and provided, further, that such temporary restricted license shall continue in effect until final action on such permanent application is taken by said board and any appeal therefrom is adjudicated. Verification procedures established under the provisions of the third paragraph of said section thirty-nine A relative to physicians licensed in any New England state except the commonwealth shall not be applicable to a temporary restricted licensee.

Approved May 6, 1980.

Chap. 136. AN ACT RELATIVE TO FINANCE CHARGES ON RETAIL SALES OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately permit an increase in the finance charges on the retail sales on motor vehicles, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 255B of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 674 of the acts of 1958, and inserting in place thereof the following paragraph:-

A retail seller may charge, receive and collect for any new or used motor vehicle, a finance charge of not more than twelve dollars per one hundred dollars per year.

SECTION 2. The provisions of section one shall apply to contracts made after the effective date of this act.

Approved May 7, 1980.

Chap. 137. AN ACT AUTHORIZING THE CITY OF NEWTON TO SELL AND CONVEY CERTAIN PLAYGROUND AND SCHOOL LAND TO THE COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Newton is hereby authorized to sell and convey to the Community Development Authority of said city, for purposes of an elderly housing project, a certain parcel of land located in said city, with all improvements thereon, originally acquired by said city for playground purposes and in part devoted to school purposes. Said parcel is bounded and described as follows:-

Beginning at a point on the northwesterly street line of Grove Street, between Pine Grove Avenue and Cornell Street, distant 69.41 feet from a stone bound located at the southwesterly tangent point of a curve of 421.53 feet radius;

Thence N.79 53'08"W., 171.11 feet;
Thence N.10 06'52"E., 50.00 feet;
Thence N.79 53'08"W., 52.00 feet;
Thence N.10 09'12"E., 116.18 feet;
Thence N.79 50'48"W., 10.65 feet;
Thence N.10 09'12"E., 14.17 feet;
Thence S.79 50'48"E., 10.65 feet;
Thence N.10 09'12"E., 71.39 feet;
Thence S.79 50'18"E., 245.90 feet;
Thence S.18 25'49"W., 125.03 feet;

Thence southwesterly by the aforementioned curve of 421.53 feet radius 58.63 feet;

Thence S.10 27'39"W., 69.41 feet to the point of beginning, the last three described lines being by said northwesterly line of Grove Street.

The above described parcel being shown as Lot 1B on a plan filed in the office of the Newton City Engineer dated October 25, 1979 and containing 1.27 acres of land.

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

Approved May 8, 1980.

Chap. 138. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO CONVEY CERTAIN LAND IN SAID CITY TO ANTHONY J. MORIN AND HARRIET G. MORIN.

Be it enacted, etc., as follows:

SECTION 1. The city of North Adams acting through its mayor and city council is hereby authorized to convey to Anthony J. Morin and Harriet G. Morin for the sum of two thousand and two hundred dollars the following described land in said city:-

A parcel of land situated east of State Street at the rear of other land owned by the said Morins, bounded and described as follows:

Beginning at a concrete bound at the northeast corner of land of Richard F. and Leah M. Critelli, which bound is also on the west line of land of the City of North Adams;

thence N 35° 12' 27" W, two hundred sixty-nine and thirty-seven hundredths (269.37) feet along land of the City to a concrete bound at the northeast corner of a 40 foot right-of-way;

thence N 86° 22' 50" E, sixty-eight (68.00) feet along the former south line of Noel Field to a point;

thence S 26° 45' 10" E, two hundred thirty-seven and eighty-two hundredths (237.82) feet through land of the City of North Adams to a point;

thence S 58° 29' 15" W, twenty-three (23.00) feet to the concrete bound at the place of beginning.

The above-described parcel contains 10,528 square feet and is a portion of that land designated as Parcel 2a taken by the city of North Adams on May twenty-second, nineteen hundred and seventy-nine by Council Paper No. 8499-4, and is recorded in Book 692, Page 631 at the northern district registry of deeds in the county of Berkshire and is more particularly shown upon a plan entitled "Plan of Land Proposed for Southerly Extension of Noel Field, North Adams, Mass., Scale 1"=40', August 21, 1979, by Henry C. Neff Associates, Inc.", which plan is on file in the office of the city engineer in said city.

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

Approved May 8, 1980.

Chap. 139. AN ACT AUTHORIZING THE CITY OF TAUNTON TO SUBMIT TO THE STATE SECRETARY THE PLAN REDIVIDING CERTAIN WARDS IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding section one of chapter fifty-four of the General Laws or any other general or special law to the contrary, the city of Taunton is hereby authorized to submit to the state secretary a plan redividing wards one and seven in said city as adopted by the municipal council of said city on November twentieth, nineteen hundred and seventy-nine; provided, however, that said city complies with all other provisions of said section one of said chapter fifty-four.

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

Approved May 8, 1980.

Chap. 140. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF PEARL HARBOR DAY.

Be it enacted, etc., as follows:

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

Section 12DD. The governor shall annually issue a proclamation setting aside December seventh as Pearl Harbor Day in

memory of the members of the armed services and civilians killed, wounded and declared missing and presumed dead and recommending that said day be observed in an appropriate manner by the people.

Approved May 8, 1980.

Chap. 141. AN ACT RELATIVE TO THE OWNERSHIP OF THE CAPITAL STOCK OF CERTAIN DOMESTIC CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 156 of the General Laws is hereby amended by striking out section 5, as amended by section 1 of chapter 301 of the acts of 1939, and inserting in place thereof the following section:-

Section 5. No corporation, unless authorized by a special act still in force, shall purchase, acquire, take or hold, directly or indirectly, more than ten per cent of the total capital stock of any domestic corporation authorized to carry on within the commonwealth the business of a railroad, street railway, electric railroad, elevated railway, trolleymotor, or gas company; provided, that the foregoing provisions shall not prohibit a corporation having its principal place of business in the commonwealth from purchasing, acquiring, taking or holding more than ten per cent of the capital stock of a domestic corporation carrying on within the commonwealth the business of a gas company.

SECTION 2. Chapter 156B of the General Laws is hereby amended by striking out section 15, as appearing in section 1 of chapter 723 of the acts of 1964, and inserting in place thereof the following section:-

Section 15. No corporation, unless authorized by a special act still in force, shall purchase, acquire, take or hold, directly or indirectly, more than ten per cent of the total capital stock of any domestic corporation authorized to carry on within the commonwealth the business of a railroad, street railway, electric railroad, elevated railway, trolleymotor, or gas company; provided, that the foregoing provisions shall not prohibit a corporation having its principal place of business in the commonwealth from purchasing, acquiring, taking or holding more than ten per cent of the capital stock of a domestic corporation carrying on within the commonwealth the business of a gas company.

Approved May 9, 1980.

Chap. 142. AN ACT RELATIVE TO THE KEEPING OF A DAILY LOG BY POLICE DEPARTMENTS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 98E the following section:-

Section 98F. Each police department shall make, keep and maintain a daily log, written in a form that can be easily understood, recording, in chronological order, all responses to valid complaints received, crimes reported, the names, addresses of persons arrested and the charges against such persons arrested. All entries in said daily logs shall, unless otherwise provided by law, be public records available without charge to the public during regular business hours and at all other reasonable times.

Approved May 9, 1980.

Chap. 143. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO CONSTRUCT A CERTAIN ROADWAY ACROSS A PORTION OF BABSON RESERVOIR.

Be it enacted, etc., as follows:

SECTION 1. The city of Gloucester is hereby authorized to construct a roadway with sewers, water mains, utilities, and surface drains across a portion of the Babson Reservoir watershed in said city adjacent to the Blackburn Industrial park and to expend funds therefor, to aid the Gloucester Economic Development and Industrial Corporation in its Blackburn Industrial Park Expansion Project.

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

Approved May 12, 1980.

Chap. 144. AN ACT REQUIRING A PERIOD OF SILENCE FOR MEDITATION OR PRAYER IN ALL PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 1A, as most recently amended by chapter 692 of the acts of 1979, and inserting in place thereof the following section:-

Section 1A. At the commencement of the first class of each day in all grades in all public schools the teacher in charge of the room in which each such class is held shall announce that a period of silence not to exceed one minute in duration shall be observed for meditation or prayer, and during any such period

silence shall be maintained and no activities engaged in.

Approved May 12, 1980.

Chap. 145. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY 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 three hundred and ninety-three of the acts of nineteen hundred and seventy-nine, for the fiscal year ending June thirtieth, nineteen hundred and eighty or for such period as may be specified, the sums so appropriated to be in addition to any amounts available for the purpose.

SECTION 2.

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Emergencies.

Item

1599-2025 For a reserve to meet 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 ot herwise 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 emergency shall have been certified by the agency and the secretary having jurisdiction over the requesting agency; and that the existence of the said 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 allo-

Item

cate the amount of said transfers to the several state or other funds to which such items of appropriation are charged $1,131,000

EXECUTIVE OFFICE OF HUMAN SERVICES.
DEPARTMENT OF MENTAL HEALTH.

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 seventyfive 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 provided, that, notwithstanding the provisions of section twenty-nine of chapter twentynine of the General Laws, no interchange between any subsidiary account and the subsidiary account entitled "02, Salaries, other" shall be authorized unless and until the department obtains the prior written approval of the house and senate committees on ways and means.

Notwithstanding any other provision of law to the contrary the department of mental health shall assign on July first, nineteen hundred and seventy-nine two full time employees jointly agreed upon by the commissioner of the department of mental health and the commissioner of the department of education, to assist in the implementation of the program of education services for those clients of the bureau of institutional schools who will have reached the age of twenty-two on or before July first, nineteen hundred and seventy-nine, as it is now operated by the department of education. Provided further that these employees shall work cooperatively with the department of education to provide for a comprehensive fiscal and programmatic transition of mental health on July first, nineteen hundred and eighty
..... $3,513,269

5026-0100 For the expansion and upgrading of services to the retarded at the Fernald and Wrentham state schools, and the Dever school in accordance with the provisions of a certain court consent decree; provided; that any expenditures from this item shall be contingent upon prior approval and

Item

assurance by the commissioner of administration that not less than seventy-five per cent of said expenditures are eligible for federal reimbursement..... $1,312,000

Region One.

5183-0100 For the maintenance of the Belchertown state school, including not more than seven hundred and fifty permanent positions
..... $528,000

5271-0100 For the maintenance of the Irving A. Glavin regional center at Shrewsbury, including not more than one hundred and ninety-two permanent positions
..... $39,961

5283-0100 For the maintenance of the Monson state hospital, including not more than eight hundred and thirty-eight permanent positions
..... $838,000

Region Three.

5377-0100 For the maintenance of the Charles V. Hogan regional center, including not more than four hundred and forty-eight permanent positions
..... $191,221

Region Four A.

5483-0100 For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and thirty-seven permanent positions
..... $2,119,322

5495-0100 For the maintenance of the Metropolitan state hospital, including not more than six hundred and sixty-six permanent positions; provided that such funds may be transferred to the appropriate catchment area programs to meet the needs of non-hospitalized patients and patients at risk of hospitalization; and provided further that the allocation of funds for the purposes of this item shall be subject to the approval of the commissioner of administration and verification by the house and senate committees on ways and means
..... $866,626

Region Five.

5583-0100 For the maintenance of the Paul A. Dever school, including not more than eight hundred and eighty-four permanent positions
..... $1,404,881

Region Four B.

5883-0100 For the maintenance of the Wrentham state school,

Item
including not more than six hundred and sixty-one permanent positions
..... $1,263,213
5898-0100 For the maintenance of the Foxborough state hospital, including not more than thirty permanent positions
..... $20,984

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

Approved May 15, 1980.

Chap. 146. AN ACT PROVIDING FOR THE TEMPORARY APPOINTMENT OF NONMEMBERS TO ACT AS MEMBERS OF THE BOARD OF CONCILIATION AND ARBITRATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith, the appointment of a single arbitrator who shall exercise the full power of the board of conciliation and arbitration, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 7 of chapter 23 of the General Laws, as most recently amended by section 65 of chapter 393 of the acts of 1979, is hereby further amended by adding the following sentence:- Notwithstanding any general or special law to the contrary, in the arbitration of a grievance arising under a public or private collective bargaining agreement, the chairman of the board may appoint a nonmember to act as a temporary neutral member of the board, or to act as the single neutral arbitrator with the full power of the board.

Approved May 14, 1980.

Chap. 147. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO PAY A PENSION TO MARION M. HILTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law, rule or regulation to the contrary, and for the purpose of promoting the public good and in recognition of long and meritorious service, the selectmen of the town of Norwood are hereby authorized to grant to Marion M. Hilton, upon her retirement as an employee in the treasurer's department of said town, an annual retirement allowance of six thousand dollars per year said allow-

ance to be paid in equal monthly installments.

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

Approved May 15, 1980.

Chap. 148. AN ACT RELATIVE TO THE APPOINTMENT OF A COMMISSIONER OF HEALTH IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section twenty-six B of chapter one hundred and eleven of the General Laws to the contrary, the city of Newton may appoint a commissioner of health who shall either: (1) be the holder of a graduate degree in medicine, public health, public administration or a related field with a least two years full time administrative experience in the organization, management or delivery of public health or health care services, or (2) have any equivalent combination of education and experience in health or health care.

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

Approved May 15, 1980.

Chap. 149. AN ACT RELATIVE TO LIMITATIONS ON CERTAIN INVESTMENTS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Paragraph 6 of section 49 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 338 of the acts of 1969, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- Not more than ten per cent of its deposits shall be invested by any such corporation in debentures, convertible debentures, notes or other evidences of indebtedness of such banking corporations; provided, however, that of said ten per cent not more than two shall be invested by any such corporation in debentures, convertible debentures, notes or other evidences of indebtedness of any one banking corporation; provided, further, that of said ten per cent such corporation may invest an additional three in such evidences of indebtedness commonly known as federal funds in any one banking corporation.

Approved May 15, 1980.

Chap. 150. AN ACT RELATIVE TO REFUNDS TO INSURED MEMBERS OF STATE, COUNTY, CITY, TOWN OR DISTRICT EMPLOYEES' GROUP INSURANCE PRO-

Be it enacted, etc., as follows:

The third paragraph of section 8A of chapter 32B of the General Laws, as amended by section 3 of chapter 432 of the acts of 1971, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- The appropriate public authority at a date deemed practicable shall then authorize the treasurer to expend the remaining balance of the trust fund on behalf of the insured employees and retired employees to reduce the insured employees' and retired employees' share of future premium costs or by a proportionate refund to insured members.

Approved May 15, 1980.

Chap. 151. AN ACT AMENDING CLAIMS AND INDEMNITY PROCEDURES FOR POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

The definition of "Public employer" in section 1 of chapter 258 of the General Laws, as appearing in section 15 of chapter 512 of the acts of 1978, is hereby amended by adding the following sentence:- With respect to public employees of a school committee of a city or town, the public employer, for purposes of this chapter, shall be the said respective city or town.

Approved May 15, 1980.

Chap. 152. AN ACT RELATIVE TO DEPOSIT OF NOTICE OF LAND TAKEN ON MESNE PROCESS.

Be it enacted, etc., as follows:

Section 4 of chapter 236 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- If land was attached on mesne process, a copy of the execution with a memorandum as aforesaid shall be deposited by the officer in the registry of deeds for the county or district where the land lies, within forty days after the date which appears on the execution issued upon the judgment in the action, and the attachment shall become void forty days after said date unless the copy is so deposited; provided, that if land was attached on mesne process in Nantucket county and judgment was rendered in another county, or if judgment was rendered in Nantucket county and land was attached in another county, said copy shall be deposited within seventy days after the date which

appears on the execution issued upon judgment in the action, and the attachment shall become void seventy days after said date unless the copy is so deposited.

Approved May 15, 1980.

Chap. 153. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY FOR THE PURPOSE OF PURCHASING A CERTAIN COMPUTER SYSTEM FOR THE WORCESTER DISTRICT REGISTRY OF DEEDS IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to spend such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars to purchase an IBM System III - Model 15 computer system for the Worcester district registry of deeds in said county.

SECTION 2. For the purposes authorized in section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of the county therefor which bear on their face the words, Worcester County Registry of Deeds Computer System Loan, Act of 1980. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved May 15, 1980.

Chap. 154. AN ACT FURTHER REGULATING RULES AND REGULATIONS RELATIVE TO GREAT PONDS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 45, as most recently amended by chapter 147 of the acts of 1975, and inserting in place thereof the following section:-

Section 45. Except as otherwise provided in this section and elsewhere in this chapter, every great pond not actively being

used as a source of water supply of any town, water supply or fire district or public institution, and not subject to the provisions of section one hundred and sixty of chapter one hundred and eleven, or the first sentence of section seventeen of chapter ninety-two, shall be public for the purpose of hunting or boating thereon and shall, notwithstanding the provisions of any special law relating to fisheries in any particular place, be open to all inhabitants of the commonwealth for fishing purposes; provided that any city or town in which the whole or any portion of any great pond not exceeding five hundred acres in extent is situated may, as to so much thereof, as is located within its boundaries, make and enforce rules and regulations relative to hunting, fishing and boating thereon. Any such rule and regulation relative to boating may include, on all or any portion of said pond, for all or any portion of the year, any of the following: a speed limit, a limit on engine horsepower, a prohibition of the use of internal combustion engines, a ban on water skiing and other high speed uses and a limitation of such uses to certain areas and certain times. Any such rules or regulations shall, to the extent that they authorize hunting or fishing or, both, be subject to the approval of the director, and to the extent that they authorize any other use thereof, be subject to the approval of the commissioner of environmental quality engineering or to the extent that they impose restrictions upon the speed limit, a limitation on engine horsepower, a prohibition of the use of internal combustion engines, a ban on water skiing and other high speed uses, and a limitation of such uses to certain areas and certain times, be subject to the approval of the director of marine and recreational vehicles. All persons shall be allowed reasonable means of access to such ponds for the purposes aforesaid.

Approved May 15, 1980.

Chap. 155. AN ACT PERTAINING TO THE RELEASE ON PERMITS TO BE AT LIBERTY OF PERSONS CONFINED IN JAILS AND HOUSES OF CORRECTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 128, as most recently amended by chapter 298 of the acts of 1970, and inserting in place thereof the following section:-

Section 128. Subject to other provisions of law, parole permits, in this chapter also referred to as permits to be at liberty, may be granted by the parole board to prisoners in state and

county correctional institutions serving sentences or total aggregate sentences of sixty days or more, or serving sentences suspended in part pursuant to sections one or one A of chapter two hundred and seventy-nine, or a special sentence of imprisonment imposed pursuant to section six A of chapter two hundred and seventy-nine, having a committed portion of sixty days or more.

SECTION 2. Said chapter 127 is hereby further amended by striking out section 130, as most recently amended by section 67 of chapter 770 of the acts of 1955, and inserting in place thereof the following section:-

Section 130. No prisoner shall be granted a parole permit merely as a reward for good conduct but only if the parole board is of the opinion that there is a reasonable probability that, if such prisoner is released, he will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society. A prisoner to whom a parole permit is granted shall be allowed to go upon parole outside prison walls and inclosure upon such terms and conditions as the parole board shall prescribe, but shall remain, while thus on parole, subject to the jurisdiction of such board until the expiration of the term of imprisonment to which he has been sentenced or until the date which has been determined by deductions from the maximum term of his sentence or sentences for good conduct or until such earlier date as the board shall determine that it is in the public interest for such prisoner to be granted a certificate of termination of sentence.

SECTION 3. Said chapter 127 is hereby further amended by striking out section 131, as appearing in section 2 of chapter 690 of the acts of 1941, and inserting in place thereof the following section:-

Section 131. The parole board shall, in releasing a prisoner on parole, specify in writing the terms and conditions of his parole, and a copy of such terms and conditions shall be given to the parolee. A violation of such terms and conditions shall render the parolee liable to arrest and re-imprisonment.

SECTION 4. Sections one hundred and forty and one hundred and forty-one of said chapter one hundred and twenty-seven are hereby repealed.

SECTION 5. Said chapter 127 is hereby further amended by striking out section 148, and inserting in place thereof the following section:-

Section 148. The parole board may revoke a permit to be at liberty at any time prior to its expiration.

SECTION 6. Said chapter 127 is hereby further amended by striking out section 149, as most recently amended by section 1 of chapter 154 of the acts of 1972, and inserting in place thereof

the following section:-

Section 149. If a permit to be at liberty has been revoked, the parole board may order the arrest of the holder of such permit by any officer qualified to serve civil or criminal process in any county, and the return of such holder to the prison or jail to which he was originally sentenced. A prisoner who has been so returned to prison or jail shall be detained therein according to the terms of his original sentence. In computing the period of his confinement, the time between the day of his release upon a permit and the day of revocation of such permit shall be considered as part of the term of his sentence, and the time between the day after the revocation of his permit until the service of the parole violation warrant shall not be considered as any part of the term of his original sentence. Service of the parole violation warrant shall be made effective forthwith upon the arrest and imprisonment of the parole violator unless he is charged upon arrest with additional crimes committed while on parole or revocation of parole, then service of said parole violation warrant shall not be effective until the expiration of any additional sentences by parole or otherwise. If the parole violator is found not guilty of the additional crimes charged, then service of the warrant on the parole violator shall be effective on the date of arrest, and the time served by him as a result of the violation shall be considered as part of the original sentence. If at the time of the order to return to prison or jail or of the revocation of his permit he is confined in any prison or jail, as a result of the conviction of another crime, service of such order shall not be made until his release therefrom, by parole or otherwise, and the time served by him upon any sentence under which he is so confined shall not be considered as any part of the term of his original sentence.

Approved May 15, 1980.

Chap. 156. AN ACT AUTHORIZING THE TOWN OF WEBSTER TO GRANT AN ALL ALCOHOLIC PACKAGE STORE LICENSE TO TIFF'S PACKAGE STORE, INC.

Be it enacted, etc., as follows:

Notwithstanding any limitation on the number of licenses to be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, the licensing authority in the town of Webster is hereby authorized to issue to Tiff's Package Store, Inc. an annual license for the sale of all alcoholic beverages not to be drunk on the premises.

Approved May 15, 1980.

Chap. 157. AN ACT AUTHORIZING THE TOWN OF WEBSTER TO GRANT AN ALL ALCOHOLIC PACKAGE STORE LICENSE TO JKF CORP.

Be it enacted, etc., as follows:

Notwithstanding any limitation on the number of licenses to be under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, the licensing authority in the town of Webster is hereby authorized to issue to JKF Corp. an annual license for the sale of all alcoholic beverages not to be drunk on the premises.

Approved May 15, 1980.

Chap. 158. AN ACT AUTHORIZING THE CLERK OF THE DISTRICT COURT OF EAST BOSTON TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

SECTION 1. The clerk of the East Boston district court is hereby authorized to adjust his accounts by deducting from his cashbook receipts of money due to the county of Suffolk the sum of three hundred and nineteen dollars, which was the sum stolen from said court and not recovered in a burglary during the day of March thirty-first, nineteen hundred and seventy-nine and any restitution thereof is to be made directly to the treasury of the city of Boston.

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

Approved May 15, 1980.

Chap. 159. AN ACT AUTHORIZING THE TOWN OF NAHANT TO OBTAIN EASEMENTS NECESSARY TO CONVEY ITS WASTE WATERS TO A WASTE WATER TREATMENT PLANT IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. The town of Nahant, by its board of selectmen, for the purpose of conveying its waste waters to the city of Lynn's proposed waste water treatment plant for treatment and disposal and for the purpose of insuring the purity of said town's ocean waters, is hereby authorized, subject to the written approval of the metropolitan district commission and the city of Lynn to take by eminent domain under chapter seventy-nine of

the General Laws, or acquire by lease, purchase or otherwise, such rights of way and permanent easements in said town and said city under the control of said metropolitan district commission and said city as are necessary to convey waste waters from said town to a waste water treatment plant in said city. Said easements running from Wilson road in said town, across lands of said metropolitan district commission, to and including Gas Wharf road in said city. The sides of said easement are to be ten feet from and parallel with the line hereinafter described, with the exception, however, of that portion falling within the "Lynnway", whereby one limit of the easement width shall be coincident with the near gutter-line of the median strip. Said easements may include the right to lay and maintain conduits, pipes and other works under any such land or public ways in which said easements are acquired in such a manner as not unnecessarily to obstruct the same; provided, that no conduits, pipes or other works shall be laid in a public way except under direction of the department of public works, or the office or board exercising similar authority, which has jurisdiction over the way in question. Said town, said city and said metropolitan district commission in addition to any other authority heretofore given, are each authorized to enter into such contracts and agreements as may be necessary to provide for the conveyance of said town's waste waters to said city's proposed waste water treatment plant.

Said easements are bounded and described as follows:-

Beginning at a point in the northbound lane of the Nahant Beach Causeway at or near its intersection with the southerly sideline of Wilson Road; said point having Massachusetts Geodetic Co-ordinates N 523862.1, E 751788.6; thence running N 19°-14'-20" W along said Nahant Beach Causeway 134.7 feet to a corner; thence running N 45°-26'-40" E, 56.0 feet to a point opposite the entrance to the Nahant Beach Parking Area; thence running across said Parking Area on several courses as follows: N 38°-34'-50" W, 349.2 feet; N 34°-35'-00" W, 295.9 feet; N 26°-47'-30" W, 395.8 feet; N 15°-43'-10" W, 395.5 feet; N 02°-07'-10" W, 364.3 feet; N 03°-46'-20" E, 945.5 feet; N 06°-50'-50" E, 521.1 feet; N 06°-43'-00" E, 911.2 feet; N 08°-22'-40" E, 395.3 feet; N 09°-26'-50" E, 576.1 feet; N 08°-43'-50" E, 555.2 feet; N 09°-38'-00" E, 213.0 feet; N 12°-24'-24" E, 285.1 feet; N 01°-43'-00" E, 211.8 feet; and N 04°-46'-40" W, 256.6 feet to a point opposite the exit of said Nahant Beach Parking Area; thence running N 14°-03'-50" E, 524.8 feet to a point; thence turning and running N 74°-16'-50" W across Nahant Beach Causeway 86.8 feet; thence turning and running by four courses as follow, N 21°-55'-00" W,

116.0 feet; N 03°-44'-40" W, 209.2 feet; N 12°-18'-20" E, 127.8 feet and N 16°-13'-40" W, 189.6 feet to a point in the east-bound passing lane of the Lynnway, said point being at Massachusetts Geodetic Co-ordinates N 531629.1, E 751609.8; thence running N 63°-16'-50" W in said passing lane of the Lynnway, 1859.3 feet to the beginning of a curve to the south, said curve having a variable radius, but lying throughout its length five feet southerly from and radial with the gutter-line of the Lynnway Median Strip, and running an approximate length of 960 feet to a point having Geodetic Co-ordinates N 532333.8 and E 749054.8; thence continuing along said Lynnway on several courses as follows: S 40°-36'-00" W, 342.9 feet; S 89°-30'-40" W, 16.7 feet; S 34°-05'-10" W, 130.7 feet; S 40°-26'-20" W, 225.6 feet; S 66°-49'-10" W, 116.5 feet; S 50°-48'-50" W, 434.3 feet; S 58°-46'-30" W, 190.8 feet; S 64°-39'-10" W, 200.2 feet; S 68°-53'-00" W, 208.4 feet; S 72°-04'-50" W, 96.1 feet; S 30°-54'-40" W, 16.6 feet, and S 80°-47'-00" W, 358.3 feet to a point opposite Gas Wharf Road having Geodetic Coordinates N 531112.1 and E 747159.4; thence turning and running S 27°-19'-40" E through Gas Wharf Road 335.0 feet to the end point of this easement; all of the before described easements being through land of the Metropolitan District Commission excepting, however, Gas Wharf Road, which is in the name of The City of Lynn.

SECTION 2. Said town may enter upon any such lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of works contemplated by this act. Said town shall make reimbursement for any injury or actual damage resulting to such lands and premises caused by any act of its authorized agents or employees and shall so far as possible restore such lands to the same condition as prior to the making of such surveys, test pits, borings and the temporary occupation of same.

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

Approved May 16, 1980.

Chap. 160. AN ACT EXEMPTING THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF WEST BOYLSTON 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 West Boylston 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 May 16, 1980.

Chap. 161. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE CITY KNOWN AS THE TOWN OF AGAWAM RELATIVE TO CERTAIN BORROWING.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of clause (19) 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 town of Agawam 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 town council of the town of Agawam 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, ratified and confirmed as if section one of this act had been in force when such action was taken.

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

Approved May 19, 1980.

Chap. 162. AN ACT FURTHER REGULATING THE RATES OF PILOTAGE FOR THE PORT OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 103 of the General Laws is hereby amended by striking out section 31, as most recently amended by chapter 222 of the acts of 1978, and inserting in place thereof the following section:-

Section 31. Rates of pilotage outward and inward for the port of Boston, calculated per foot of draught shall be as follows:-

For vessels 3500 Gross Tons or under - $21.40 per Draft Foot.

For vessels over 3500 to 7000 Gross Tons - $22.40 per Draft Foot.

For vessels over 7000 to 15000 Gross Tons - $24.40 per Draft Foot.

For vessels over 15000 to 25000 Gross Tons - $25.40 per Draft Foot.

For vessels over 25000 to 35000 Gross Tons - $26.40 per Draft Foot.

For vessels over 35000 to 45000 Gross Tons - $27.40 per Draft Foot.

For vessels over 45000 Gross Tons - $28.60 per Draft Foot.

The following charges shall be made for shifting vessels:

1. Between docks in Boston, fifty dollars;
2. Between any dock in Boston and anchorage number one, fifty dollars;
3. Between any dock in Boston and anchorage number two, one-half pilotage;
4. Any inbound vessel that anchors in anchorage number two in excess of eighteen hours and thereafter shifts to Boston, one-half pilotage;
5. Between Boston and Quincy, full pilotage;
6. Between anchorage number two and Quincy, full pilotage;
7. Between sea and Quincy, full pilotage; if a vessel proceeds to anchorage number two at the request of the master or agent, before moving to Quincy, an additional full pilotage;
8. Any inbound vessel that anchors in anchorage number one, and a pilot is requested to move the vessel to a dock, fifty dollars;

Other charges shall be:

1. Any inbound vessel subject to pilotage that anchors in anchorage number two, or in the area outside Deer Island light and inside the demarcation line for Federal Inland Waters for more than six hours, shall pay fifty dollars, plus ten dollars for each additional hour, or portion thereof, with a maximum anchoring fee of one hundred dollars;
2. For detention of a pilot aboard a vessel, there shall be a two hour free period, followed by a twenty-five dollar charge for the third hour, or any portion thereof; for each additional hour or portion thereof, there shall be a charge of ten dollars, up to a maximum of seventy-five dollars. Detention on a vessel at the dock shall begin at the ordered sailing time;
3. The fee for anchoring any outbound vessel shall be based on detention except that if a vessel is anchored for more than eighteen hours, said vessel shall be charged at the regular shifting rate in lieu of detention, plus any additional regular charges. Detention time shall be based upon the period the ship is at anchor;
4. A pilot shall be considered to be ordered to a vessel, if not notified one hour before the sailing time of said vessel from Boston and two hours before the sailing time from Quincy or anchorage number two;
5. No charge shall be made for any vessel detained because of fog or stress of weather;
6. When a pilot swings a vessel during adjustment of compass or calibration of electronic equipment, the vessel shall pay a charge of fifty dollars for each operations;

7. If a pilot is carried away aboard a ship, the vessel shall pay a charge of fifty dollars per day, plus the expenses of return transportation to Boston;

8. For notifying a vessel of her diversion orders, one hundred dollars may be charged in addition to any regular charges;

9. When a pilot is ordered and dispatched for an arriving vessel and his services are not employed, the vessel shall pay a charge of one hundred dollars;

10. All inbound vessels shall notify the pilot office eight hours before arrival time if that time varies more than two hours from their latest estimated arrival report;

11. When a pilot is ordered for a vessel and said vessel does not sail or his services are not required, the vessel shall pay a cancellation charge of twenty-five dollars.

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

Approved May 19, 1980.

Chap. 163. AN ACT RELATIVE TO THE LENGTH OF MOTOR BUSES WHICH MAY BE OPERATED BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 310 of the acts of 1951 is hereby amended by striking out section 1, as amended by chapter 165 of the acts of 1955, and inserting in place thereof the following section:-

Section 1. Notwithstanding the provisions of section nineteen of chapter ninety of the General Laws or of other general or special laws, the Massachusetts Bay Transportation Authority may operate on any way within the limits of the cities and towns constituting said Authority, motor buses which have an extreme over-all length in excess of thirty-five feet but not in excess of forty feet excluding bumpers and an outside width in excess of ninety-six inches but not in excess of one hundred and two inches without a special permit so to operate such buses from the board or officer having charge of such way or, in case of a state highway or way determined by the department of public works to be a through route, from said department.

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

Approved May 22, 1980.

Chap. 164. AN ACT AUTHORIZING THE CITY OF WORCESTER TO PROVIDE FUNDS FOR COLLECTIVE BARGAINING AGREEMENTS WITH EMPLOYEES OF ITS PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of any general or special law to the contrary, the city of Worcester is hereby authorized to raise by tax levy during the fiscal year beginning July first, nineteen hundred and eighty, in addition to any other sums which said city may by law be authorized to so raise, the sum of one million fifty-four thousand dollars to provide funds for the purpose of making payments pursuant to collective bargaining agreements entered into by said city with employees of its public schools. Said city may make payment hereunder retroactive to July first, nineteen hundred and seventy-nine.

SECTION 2. The city of Worcester is hereby authorized to borrow the sum of one million fifty-four thousand dollars for a period not to exceed eighteen months, outside the limit of indebtedness prescribed in section ten of chapter forty-four of the General Laws, in anticipation of the tax levy authorized by section one. The proceeds of said borrowing may be expended by said city only for the purpose of making the payments authorized by said section one.

SECTION 3. Nothing contained in this act shall be construed to authorize the school committee of the city of Worcester to transfer funds from salary accounts for the fiscal year beginning July first, nineteen hundred and seventy-nine, in order to provide funds for expenditures in any other account.

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

Approved May 22, 1980.

Chap. 165. AN ACT AUTHORIZING THE TRUSTEES OF THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE TO BORROW MONEY FOR CERTAIN REPAIRS, RENOVATIONS AND IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of making improvements to the heating equipment and providing for the conservation of energy at the Essex Agricultural and Technical Institute the board of trustees of said institution may replace old and worn equipment and purchase necessary new equipment for said institution. Said board may expend for said purposes such sums as may be necessary not exceeding, in the aggregate, two hundred and twenty thousand dollars.

SECTION 2. For the purpose of section one, the treasurer of Essex 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, the sum of two hundred and twenty thousand dollars and may issue bonds or notes of the county therefor, which shall bear on their

face the words, Essex Agricultural and Technical Institute Improvement Loan, Act of 1980. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved May 22, 1980.

Chap. 166. AN ACT PROHIBITING THE EVICTION OF CERTAIN ELDERLY TENANTS IN CONTROLLED CONDOMINIUM UNITS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Subsection (a) of section 9 of chapter 36 of the acts of 1976 is hereby amended by striking out clause (8) and inserting in its place the following clause:-

(8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law, except that no action shall be brought under this clause to recover possession of a condominium unit from a tenant who is sixty years of age or older and who occupied the unit continuously since before the recording of the master deed.

SECTION 2. This act shall take effect upon its passage, but shall not impair any existing rights of a condominium unit purchaser who recorded a unit deed or entered into a purchase and sale agreement prior to its effective date.

SECTION 3. 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 remaining provisions.

Approved May 22, 1980.

Chap. 167. AN ACT FURTHER REGULATING THE AUTHORITY OF TRUST COMPANIES TO OFFER AND ACCEPT INDIVIDUAL RETIREMENT PLANS AND ACCOUNTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to further allow trust

companies to act as, and receive deposits from, trustees or custodians for individual retirement accounts, therefore 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 172 of the General Laws is hereby amended by striking out section 48C, inserted by section 1 of chapter 686 of the acts of 1975, and inserting in place thereof the following section:-

Section 48C. A trust company may act as trustee or custodian under a retirement plan or individual retirement account which in the judgment of such corporation at the time such trustee or custodian is accepted, is established pursuant to the provisions of Public Law 87-792 entitled "Self-Employed Individuals Tax Retirement Act of 1962", Public Law 93-406 entitled "Employee Retirement Income Security Act of 1974" or section 152 of Public Law 95-600 entitled "Revenue Act of 1978", if the provisions of said plan have been approved by the commissioner and permit any of the funds of said trust or custodial account to be invested in savings deposits or time deposits of said corporation. No funds held by said corporation as trustee or custodian shall be invested otherwise than in trust company deposits, properly qualified life insurance retirement income policies or other investments authorized by law for savings banks, or any combination thereof, as each such plan may prescribe or permit. Every advertisement, announcement, or solicitation for such a plan or account shall state in a clear and conspicuous manner the amounts of any contributions and earnings thereon, subject to state and federal taxable income.

Approved May 22, 1980.

Chap. 168. AN ACT ALLOWING A VOTER TO BE ACCOMPANIED BY A CHILD.

Be it enacted, etc., as follows:

Section 69 of chapter 54 of the General Laws, as amended by section 2 of chapter 255 of the acts of 1947, is hereby further amended by adding the following sentence:- Children, in the company of a voter, may be admitted within the guardrail unless the election officer in charge deems that the admittance of such child would disrupt the maintenance of order.

Approved May 22, 1980.

Chap. 169. AN ACT REGULATING THE USE OF CERTAIN SUMS RECEIVED BY A CITY, TOWN, DISTRICT OFFICER OR DEPARTMENT.

Be it enacted, etc., as follows:

The second sentence of section 53 of chapter 44 of the General Laws, as appearing in chapter 88 of the acts of 1972, is hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

(2) sums not in excess of five thousand dollars recovered under the terms of fire or physical damage insurance policy and sums not in excess of five thousand dollars received in restitution for damage done to such city, town or district property may be used by the officer or department having control of the city, town or district property for the restoration or replacement of such property without specific appropriation and.

Approved May 22, 1980.

Chap. 170. AN ACT FURTHER PROVIDING VOTING RIGHTS FOR RETIRED MEMBERS OF THE RETIREMENT SYSTEM FOR PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 15 of the General Laws, as most recently amended by chapter 1176 of the acts of 1973, is hereby further amended by inserting after the word "in", in line 9, the words:- or retired from.

SECTION 2. Clause (i) of paragraph (a) of subdivision (1) of section 3 of chapter 32 of the General Laws, as most recently amended by chapter 94 of the acts of 1971, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- Any member in service shall have full voting powers in the system as provided for in section twenty of this chapter and in section sixteen of chapter fifteen.

SECTION 3. Clause (ii) of said paragraph (a) of said subdivision (1) of said section 3 of said chapter 32 is hereby amended by striking out the last sentence, as amended by section 1 of chapter 523 of the acts of 1978, and inserting in place thereof the following sentence:- Any member in-active shall have full voting rights as provided for in section twenty of this chapter and in section sixteen of chapter fifteen.

Approved May 22, 1980.

Chap. 171. AN ACT PROVIDING FOR THE SUSPENSION OR REMOVAL OF AN OFFICER OF A BANK BY THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 212 of

chapter 514 of the acts of 1978, and inserting in place thereof the following two sections:-

Section 5. If, after inquiry, the commissioner finds that any officer of any bank, including a director or trustee thereof, has violated any law relating to such bank or has conducted the business of such bank in an unsafe or unsound manner or has used his official position in a manner contrary to the interests of such bank or its depositors or has been negligent in the performance of his duties, the commissioner may, by written notice to such officer detailing his reasons therefor, forthwith order his suspension. Any suspension so ordered shall become effective upon service of such notice upon the official involved and shall remain in effect until removed by the commissioner.

The commissioner also may, in his discretion, send a statement of facts upon which his conclusion is based about such conduct to the official involved and to the executive officer and each director or trustee of the bank affected. Within such reasonable time as the commissioner may direct, a special meeting of the directors or trustees of the bank shall be held with respect to the statement of the commissioner. If, in the opinion of the commissioner, appropriate action is not taken to protect the interests of the bank or its depositors, or if such conduct is continued, the commissioner shall cause notice to be served on such officer, director or trustee to appear, and show cause why he should not be removed from office. If, after granting the officer, director or trustee so summonsed a reasonable opportunity to be heard, the commissioner finds that he has been guilty of any such delinquency, the commissioner, in his discretion, may order that such officer, director or trustee be removed from office and from participation in the management of such bank.

In either of the foregoing instances, a copy of any such notice shall be sent by registered mail to each officer, director or trustee of the bank affected. A copy of any such notice shall be sent to a board composed of the state treasurer, the attorney general, and the commissioner of revenue. The members of the board or a duly authorized representative, shall be present at any appearance of such officer, director or trustee. Any decision by the commissioner to suspend or remove may be reversed by a decision of a majority of the members of the board made within five business days after the commissioner's decision; otherwise, any such decision of the commissioner shall be given full force and effect. Copies of such order shall be served upon the delinquent officer and upon such bank, whereupon such officer shall cease to be an officer of such bank and shall no longer participate in any way in the management thereof; provided, that any such order and the evidence and findings of fact upon which it is based shall not be made public or disclosed to anyone except the delinquent officer and the other officers,

directors or trustees of such bank, otherwise than in the course of any judicial proceeding under this section. The commissioner shall thereupon transmit to the attorney general a transcript of the evidence and finding, and the attorney general shall, on behalf of the commonwealth, institute such proceedings as he may deem necessary. Any person suspended from office as herein provided who, during the term of his suspension, participates in any manner in the management of any bank in the commonwealth shall be punished by a fine of not more than one thousand dollars or one year in jail, or both. Any person removed from office as herein provided who thereafter participates in any manner in the management of any bank in the commonwealth shall be punished by imprisonment in the state prison for not more than five years or by a fine of not more than five thousand dollars, or both.

Within twenty days after the service of an order of suspension or removal under this section upon the person removed thereby, he may file a petition in the supreme judicial court for Suffolk county for a review of such suspension or removal but, pending such review, the order shall remain in full force and effect. The court shall have jurisdiction in equity to annul, reverse or affirm any such order, shall review all questions in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A and may make any appropriate order or decree. The decision of the court shall be final and conclusive.

Section 5A. Whenever any officer of a bank, including a director or trustee, or other person participating in the conduct of the affairs of such bank, is charged in any information, indictment or complaint with the commission of or participation in a crime involving a breach of trust which is punishable by imprisonment for a term exceeding one year under state or federal law, the commissioner may, if in his opinion continued service or participation by the individual may pose a threat to the interests of the bank's depositors or may threaten to impair public confidence in the bank, by written notice served upon such individual, suspend him from office or prohibit him from further participation in any manner in the conduct of the affairs of the bank. A copy of such notice shall be served upon the bank. Such suspension or prohibition shall remain in effect until such information, indictment or complaint is finally disposed of or until terminated by the commissioner. In the event that a judgment of conviction with respect to such crime is entered against such officer or other person, and at such time as such judgment is not subject to further appellate review, the commissioner may, if he deems that continued service or participation by the individual may pose a threat to the interests of the bank's depositors or may threaten to impair public confidence in

the bank, issue and serve upon such officer or other person an order removing him from office or prohibiting him from further participation in any manner in the conduct of the affairs of the bank except with the consent of the commissioner. A copy of such order shall also be served upon such bank whereupon such officer shall cease to be an officer of such bank. A finding of not guilty or other disposition of the charge shall not preclude the commissioner from thereafter instituting proceedings to remove such officer or other person from office or to prohibit further participation in bank affairs, pursuant to section five.

Approved May 22, 1980.

Chap. 172. AN ACT FURTHER DEFINING UNFAIR, DECEPTIVE, OR UNREASONABLE COLLECTION PRACTICES.

Be it enacted, etc., as follows:

Section 49 of chapter 93 of the General Laws is hereby amended by striking out paragraph (a), as appearing in section 1 of chapter 883 of the acts of 1970, and inserting in place thereof the following subparagraph:-

(a) The creditor communicates, threatens to communicate, or implies the fact of such debt or alleged debt to a person other than the person who might reasonably be expected to be liable therefor, or an authorized user after the fact if that status is communicated to the creditor in writing, except with the written permission of the alleged debtor. The provisions of this paragraph shall not prohibit a creditor from notifying a debtor of the fact that the creditor may report a debt or alleged debt to a credit bureau or engage an agent or an attorney for the purpose of collecting the debt or alleged debt. For the purposes of this paragraph, the use of language on envelopes indicating that the communication relates to the collection of a debt shall be deemed a communication of such debt or alleged debt.

Approved May 22, 1980.

Chap. 173. AN ACT RELATIVE TO THE ENFORCEMENT OF THE LICENSING PROVISIONS OF LODGING HOUSES.

Be it enacted, etc., as follows:

Section 24 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:- Upon the complaint of an aggrieved party, the licensing authority or an officer of a city or town wherein such unlicensed lodging house is conducted, a justice of the

housing court division of the superior court division of the trial court, may enjoin the conducting of any unlicensed lodging house and may make such other orders as the court may deem equitable to enforce the provisions of sections twenty-two to thirty-one, inclusive.

Approved May 22, 1980.

Chap. 174. AN ACT RELATIVE TO THE INCORPORATION OF A NATURAL GAS PIPELINE COMPANY.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 75B, inserted by chapter 462 of the acts of 1950, and inserting in place thereof the following section:-

Section 75B. Any person, partnership, corporation or any other legal entity, organized under the laws of the commonwealth which shall desire to construct and operate a natural gas pipeline situated wholly within the commonwealth may qualify to do business within the commonwealth as a natural gas pipeline company after hearing upon a petition filed with the department and after the department has determined that such facilities are necessary for the purpose alleged and will serve the public convenience and is consistent with the public interest. Any person, partnership, corporation or any other legal entity, organized under the laws of the commonwealth or of any other state or of the United States which holds a certificate of public convenience and necessity issued under the provisions of chapter 15B of the United States Code which may be cited as the federal "Natural Gas Act" authorizing it to construct a natural gas transmission line and appurtenant facilities within the commonwealth, shall be considered as a natural gas pipeline company within the meaning of this chapter upon filing with the department a certified copy of such certificate.

Approved May 22, 1980.

Chap. 175. AN ACT RELATIVE TO THE CONSTRUCTION OF A NATURAL GAS PIPELINE.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by inserting after section 75G the following section:-

Section 75H. A person, partnership, corporation or any other legal entity which intends to construct a natural gas pipeline within this state and has filed for a certificate of public convenience and necessity to be issued under chapter 15B of the United States Code which may be cited as the federal "Natural Gas

Act" or has filed a petition with the department as provided in section seventy-five B, shall be deemed to have such right, title, interest or standing to proceed to file and process any application for any permit, license, approval, order of any nature or description, of any state or local agency or instrumentality, necessary to obtain all governmental consents with regard to the location, construction, completion and operation of said pipeline within the state and shall be deemed to be a natural gas pipeline company for said purpose. The effective date of any such license, permit, order or governmental approval which may be granted or issued may be conditioned upon or suspended until the date of issuance of such certificate under chapter 15B of the United States Code which may be cited as the federal "Natural Gas Act" or determination by the department.

Approved May 22, 1980.

Chap. 176. AN ACT RELATIVE TO THE INVESTMENT OF FUNDS USED IN CONNECTION WITH A DEFERRED COMPENSATION PROGRAM FOR EMPLOYEES OF THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

Chapter 354 of the acts of 1952 is hereby amended by inserting after section 15C, inserted by section 2 of chapter 377 of the acts of 1979, the following section:-

Section 15D. Deferred Compensation. - The secretary-treasurer may on behalf of the Authority contract with an employee to defer a portion of that employee's income, and may, for the purpose of funding a deferred compensation program for said employee, invest the deferred portion of the employee's income in a life insurance or annuity contract, mutual fund, or a bank investment trust. The secretary-treasurer shall, before making any such investment, solicit bids from insurance companies authorized to conduct business within the commonwealth pursuant to chapter one hundred and seventy-five of the General Laws, mutual fund managers, and banks, which bids shall be sealed, and which shall be opened at one time and place designated by the secretary-treasurer. Any bid submitted by an insurance company, mutual fund, or bank investment trust to fund the deferred compensation program shall clearly indicate the interest rate which shall be paid on the deferred funds, any commissions which will be paid to salesmen, any load imposed for the purpose of administering the funds, mortality projections, expected payouts, tax implications for participating employees, and such other information as the secretary-treasurer may require. Any contract entered into between an employee and the Authority pursuant to this section shall include all such information in

terms the employee can reasonably be expected to understand. As used in this section, the word "employee" shall have the same meaning as "employee" and "head of his department" as defined in section one of chapter thirty-two of the General Laws. In no event shall the amount invested for a future benefit and the employee's non-deferred income for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year. Such a deferred compensation program shall exist and serve in addition to and shall not be a part of any retirement or pension system as provided in said chapter thirty-two and any other benefit program provided by law for such employees. Any income deferred under such a plan shall continue to be included as regular compensation, as defined in section one of said chapter thirty-two for the purpose of computing the retirement and pension benefits earned by any employee, but any sum so deducted shall not be included in the computation of any taxes withheld on behalf of any such employee.

Approved May 22, 1980.

Chap. 177. AN ACT PROVIDING THAT NO PERSON SHALL BE EXCLUDED FROM A LIST FOR JURY SERVICE SOLELY BECAUSE SUCH PERSON IS BLIND.

Be it enacted, etc., as follows:

Section 4 of chapter 234 of the General Laws, as most recently amended by chapter 913 of the acts of 1975, is hereby further amended by inserting after the second sentence the following sentence:- No person shall be disqualified from appearing on said list solely because such person is blind.

Approved May 22, 1980.

Chap. 178. AN ACT RELATING TO THE PROPERTY OF PERSONS WHO HAVE DISAPPEARED OR ABSCONDED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 200 of the General Laws is hereby amended by striking out sections 1 to 9, inclusive, and inserting in place thereof the following nine sections:-

Section 1. If a person entitled to or having an interest in property within the jurisdiction of the commonwealth has disappeared or absconded from the place within or without the commonwealth where he was last known to be, and it is not known where he is, or if such person, having a spouse or minor child, dependent to any extent upon him for support, has disappeared or absconded without making sufficient provision for such sup-

port, and it is not known where he is, or if it is known that he is without the commonwealth, anyone who would under the law of the commonwealth be entitled to administer upon the estate of such absentee if he were deceased, or if no one is known to be so entitled, any suitable person, or such spouse, or some one in behalf of such spouse or minor, may file a petition under oath in the probate court for the county where any such property is situated or found, stating the name, age, occupation and last known residence or address of such absentee, the date and circumstances of the disappearance or absconding, and the names and residence of other persons, whether members of such absentee's family or otherwise, of whom inquiry may be made, and the amount of such property, real and personal, so far as known, and its location within the commonwealth, praying that a receiver of such property be appointed under this chapter. The state treasurer shall be made a party to every such petition and shall be given due notice of all subsequent proceedings under this chapter.

Section 2. The court shall issue a notice reciting the substance of the petition which shall be addressed to such absentee and to all persons who claim an interest in the property of the absentee within the jurisdiction of the commonwealth, and to all whom it may concern, citing them to appear at a time and place named and show cause why a receiver of such property should not be appointed and such property held and disposed of under this chapter.

Section 3. The return day of said notice shall be not less than thirty nor more than sixty days after its date. The court shall order said notice to be published once in each of three successive weeks in one or more newspapers within the commonwealth, and to be posted in two or more conspicuous places in the town within the commonwealth where the absentee last resided or was known to have been either temporarily or permanently and upon each such parcel of his or her land within the commonwealth. The court shall order said notice to be mailed to the last known address of the absentee and so much of said notice as relates to land to be recorded in the registry of deeds for the county and district where the land is located. The court may order other and further notice to be given within or without the commonwealth.

Section 4. If the petition is dismissed, the fees and cost of publishing, serving and recording said notice shall be paid by the petitioner; if a receiver is appointed they shall be paid by the receiver and allowed in his account.

Section 5. The absentee or any person who claims an interest in any property of the absentee within the jurisdiction of the commonwealth may appear and show cause why the prayer of the petition should not be granted. The court may after hearing

dismiss the petition, or it may appoint a receiver of such property. In making such appointment the court may give preference to anyone who would under the law of the commonwealth be entitled to administer the estate of such absentee if he were deceased or to any person who is found by the court to have been at the date of such disappearance or absconding an agent of such absentee and in possession of a substantial portion of such property. If a receiver is appointed the court shall find and record the date of the disappearance or absconding of the absentee; and such receiver shall give bond to the judge of probate and his successors in office in such sum and with such condition as the court orders, with a company named in section one hundred and five of chapter one hundred and seventy-five and approved by the court as surety thereon.

Section 6. After the approval of such bond the receiver shall take possession of the property of the absentee within the jurisdiction of the commonwealth so far as is known, and he shall file in the registry of probate a schedule of the property received by him.

Section 7. Such receiver upon petition filed by him may be authorized and directed to take possession of any additional property within the commonwealth which belongs to such absentee and to demand and collect all debts due such absentee from any person within the commonwealth.

Section 8. If such absentee has left no corporeal property within the commonwealth, but there are debts and obligations due or owing to him from persons within the commonwealth, a petition may be filed as provided in section one, stating the nature and amount of such debts and obligations, so far as known, and praying that a receiver thereof may be appointed. The court may thereupon issue a notice as above provided and may, upon the return of said notice and after a hearing, dismiss the petition or appoint a receiver and authorize and direct him to demand and collect the debts and obligations specified in said petition; provided, that no public administrator shall be appointed as such receiver when the sole known assets of the estate of the absentee consist of an amount of money standing to his credit in a savings bank or in the savings department of a trust company, in case such account has not been increased by a deposit, nor decreased by a withdrawal of any part of his deposits or of any part of the interest thereon, during a period of ten years or more next preceding the petition for appointment of a receiver. The receiver shall give bond as provided in section five, and shall hold the proceeds of such debts and obligations and all property received by him, and distribute the same as hereinafter provided. He may be further authorized and directed as provided in section seven.

Section 9. The court may make orders for the care, custody, leasing and investing of all property and its proceeds in the possession of the receiver. If any of said property consists of live animals or is perishable or cannot be kept without great or disproportionate expense, the court may order such property to be sold at public or private sale. After the appointment of a receiver, upon his petition and after notice, the court may order all or part of said property, including the rights of the absentee in land, to be sold at public or private sale to supply money for payments authorized by this chapter or investment approved by the court. Except as provided by order of the court, the receiver shall have the following powers:

(1) to sell any personal property in the possession of the receiver or any interest therein, for cash, credit or for part cash and part credit, and with or without security for unpaid balances.

(2) to invest in prudent investments.

(3) to effect a fair and reasonable compromise with any debtor, creditor, obligor or obligee.

SECTION 2. Section eleven of said chapter two hundred is hereby repealed.

SECTION 3. Chapter 203 of the General Laws is hereby amended by striking out section 26, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 26. In sections twenty-seven to thirty-nine, inclusive, the word "absentee" shall mean a beneficiary who has disappeared, absconded or is absent from the commonwealth, or has disappeared or absconded from the place without the commonwealth, where he was last known to be, and it is not known by the petitioner where he is, and the date of such disappearance or absconding and of the time when it was last known by the petitioner where he was and when he was last heard from or heard of shall have been more than fourteen years before the filing of the petitions provided for in said sections twenty-seven to thirty-nine, inclusive.

Approved May 22, 1980.

Chap. 179. AN ACT RELATIVE TO THE POWERS OF THE CO-OPERATIVE CENTRAL BANK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 45 of the acts of 1932 is hereby amended by inserting after section 7 the following section:-

Section 7A. The central bank may purchase or sell mortgages of its member banks and may issue, broker or participate with

other persons in the issuance of brokerage of securities representing units of interest in specific mortgage loans and pools of mortgage loans held by the central bank or such other issuer, and in connection therewith may enter into and perform such agreements relating to the custody and servicing of such mortgages and to other related matters, including without limitation provisions for guaranteeing collection or payment of the principal and interest on such securities as may be found necessary and appropriate by the directors of the central bank; provided, however, that the commissioner may from time to time promulgate regulations governing the terms and conditions upon which any such securities which may be issued.

SECTION 2. Chapter 73 of the acts of 1934 is hereby amended by inserting after section 1 the following section:-

Section 1A. The directors from time to time may, to the extent which the commissioner deems desirable, review the financial condition of any member bank as it relates to share insurance, and shall report their recommendations thereon to the commissioner. The commissioner may, upon request of the directors and notwithstanding the provisions of section two of chapter one hundred and sixty-seven of the General Laws, furnish to the directors for the purposes of the Share Insurance sioner may deem to be of assistance to the Fund in determining the financial condition of any member bank.

If the directors determine that a special examination and audit, including a current appraisal of the assets, of any member bank would be in the interests of its shareholders or in the interests of the sound and effective operation of the Share Insurance Fund, the board of directors by vote of at least two-thirds of its members, may request the commissioner to cause such special examination, audit and appraisal to be made; and if the commissioner determines the same to be advisable he shall cause the examination and audit to be made by a certified public accountant in such form and manner as the commissioner may prescribe, together with a current appraisal of such member bank's assets by a qualified person or persons, and the directors may furnish to the commissioner such evidence or current values of any or all of such member bank's assets as they may deem material to the appraisal. The expense of such examination, audit and appraisal shall be paid by the Share Insurance Fund. After receiving the reports of such accountant and of said appraisal, the commissioner shall furnish to the directors, and to the member bank, copies of such reports.

The directors shall have authority to make recommendations to any member bank designed to correct practices or policies of the bank in conducting its business, including loan or dividend policies, which the directors deem to be unsafe or unsound, or

to have a tendency to impair the financial condition of the bank, and if such bank fails to follow such recommendations, the directors shall give notice thereof to the commissioner. If it appears to the directors that such practices or policies have impaired or are likely to impair the solvency of such bank, or are unreasonably increasing the insurance risk of the Share Insurance Fund with respect to such bank, they shall include a statement to such effect, together with a report of the facts and circumstances, in the aforesaid notice to the commissioner, and if he determines from such report and from other available information that said bank is in an unsafe or unsound condition to transact the business for which it was organized then, except as provided in paragraph (c) of section sixteen, he may so certify to the corporation pursuant to section four. Nothing contained in this section shall be deemed to abridge any power or authority conferred upon the commissioner by this chapter or any other provision of law.

SECTION 3. Section 7 of said chapter 73, as most recently amended by section 4 of chapter 227 of the acts of 1939, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- For the purpose of carrying out the provisions of this act, the corporation may exercise all the powers, rights and franchises of any bank the control, possession and operation of which has been taken over by it under this act, and may exercise all powers and rights of the shareholders of such bank relative to a sale of assets or consolidation conferred upon them by sections forty-seven and forty-eight of chapter one hundred and seventy.

SECTION 4. Said chapter 73 is hereby further amended by striking out section 8 and inserting in place thereof the following section:-

Section 8. The directors of the corporation may make such rules and regulations, subject to the approval of the commissioner, as they may deem necessary in order to carry out the provisions of this act, and for such purposes the commissioner may confer and advise with the directors and furnish them such information, records, statements and reports of examination or copies thereof, relating to any member bank, as they request.

Approved May 22, 1980.

Chap. 180. AN ACT REQUIRING ASSESSORS TO DELIVER CERTAIN PLANS TO THE LAND COURT DEPARTMENT OF THE TRIAL COURT.

Be it enacted, etc., as follows:

Chapter 59 of the General Laws is hereby amended by inserting after section 52 the following section:-

Section 52A. The assessors, upon receiving for their general use, newly completed or revised plans showing locations of boundaries of real property in the city or town, shall deliver copies of such plans to the land court department of the trial court.

Approved May 22, 1980.

Chap. 181. AN ACT CLARIFYING THE PROCEDURE IN CARE AND PROTECTION PROCEEDINGS FOR CHILDREN.

Be it enacted, etc., as follows:

Section 24 of chapter 119 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 49 of chapter 478 of the acts of 1978, and inserting in place thereof the following sentence:- The Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court, and the Springfield juvenile court or the juvenile sessions of any district court of the commonwealth, except the municipal and district courts located within the territorial limits of said juvenile courts, upon the petition of any person alleging on behalf of a child under the age of eighteen years within the jurisdiction of said court that said child is without: (a) necessary and proper physical or educational care and discipline or; (b) is growing up under conditions or circumstances damaging to the child's sound character development or; (c) who lacks proper attention of parent, guardian with care and custody, or custodian or; (d) whose parents, guardian or custodian are unwilling, incompetent or unavailable to provide any such care, discipline or attention, may issue a precept to bring such child before said court, shall issue a notice to the department, and shall issue summonses to both parents of the child to show cause why the child should not be committed to the custody of the department or other appropriate order made.

Approved May 22, 1980.

Chap. 182. AN ACT AUTHORIZING THE IMPROVEMENT OF CERTAIN OPEN SPACES ON PUBLIC WAYS.

Be it enacted, etc., as follows:

Chapter 45 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 city or town having public grounds or open spaces in any of its public ways, which have been or may be designated by it as not needed for public travel, may give the improvement thereof to corporations within its limits organized under section four of chapter one hundred and eighty, which, under the direction of the city council, selectmen or road commissioners, shall have the use, care and control thereof and may grade, drain, curb and fence the same, set out shade or ornamental trees, lay out flower plats and otherwise improve them.

Approved May 22, 1980.

Chap. 183. AN ACT AUTHORIZING CERTAIN PERSONS TO BE ELIGIBLE FOR APPOINTMENT TO THE POSITION OF 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, all provisional correction officers who met the age requirement when initially hired and who were not afforded a civil service examination during their continuing term of service prior to the age of thirty-five shall be eligible for certification and appointment pursuant to an examination for said position held on December twenty-ninth, nineteen hundred and seventy-nine; provided that they met all other requirements for certification and appointment to the position of correction officer.

Approved May 22, 1980.

Chap. 184. AN ACT FURTHER REGULATING THE AUTHORITY OF THE BOARD OF BANK INCORPORATION.

Be it enacted, etc., as follows:

Section 26 of chapter 167 of the General Laws, as amended by chapter 301 of the acts of 1972, is hereby further amended by inserting after the second paragraph the following paragraph:-

When the Federal Deposit Insurance Corporation accepts appointment as liquidating agent as provided herein and proposes a purchase and assumption resolution, the board of bank incorporation may exercise its authority under chapter one hundred and sixty-seven A, chapter one hundred and sixty-eight or chapter one hundred and seventy-two without regard to notice of hearing requirements to effect such a resolution.

Approved May 22, 1980.

Chap. 185. AN ACT AUTHORIZING THE TOWN OF HOPEDALE TO CONVEY A CERTAIN PARCEL OF PARK LAND TO CHARLES R. COX.

Be it enacted, etc., as follows:

SECTION 1. The town of Hopedale is hereby authorized to sell and convey to Charles R. Cox, for consideration of one hundred and fifty dollars, a certain parcel of park land located on the easterly side of Hopedale street, in said town. Said land is bounded on said easterly side of Hopedale street said bound being 366 feet northerly of Freedom street and the northwesterly corner of land of Charles R. Cox (lot 100); thence

N 10° 21' 55" W a distance of 30.00 feet along said easterly side of Hopedale Street to a point at land of the Town of Hopedale; thence

N 80° 07' 10" E a distance of 92.07 feet to a point; thence

S 10° 21' 55" E a distance of 30.00 feet to a point at land of Michael F. and Linda F. Matondi and said Cox, the previous two (2) courses bounding along said Town of Hopedale land; thence

S 80° 07' 10" W a distance of 92.07 feet along said Cox land to the point of beginning.

Said parcel contains an area of 2762 square feet more or less and is more particularly shown as Parcel "A" on a plan entitled: "Plan of Land in Hopedale, Mass. Property of: Charles R. Cox. Scale: 20 feet to an inch. Date: February 7, 1980 Guerriere & Halnon, Inc. Engineering and Land Surveying 326 West Street, Milford Mass.".

SECTION 2. Any action taken by the town of Hopedale at its annual town meeting in the current year pursuant to section one is hereby validated and confirmed and shall have the same force and effect as if this act were in effect at the time of the posting of the warrant for said annual town meeting.

Approved May 22, 1980.

Chap. 186. AN ACT FURTHER FACILITATING EDUCATIONAL LOANS BY BANKS AND CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 62 the following section:-

Section 62A. A savings bank, co-operative bank, credit union or trust company may receive deposits or shares, under the terms of a written plan approved by the commissioner, in amounts in excess of the limitations established in section twenty-one of chapter one hundred and sixty-eight, section sixteen of chapter one hundred and seventy, section ten of

chapter one hundred and seventy-one or section fifty-one of chapter one hundred and seventy-two from any labor union, association, trust, public utility, partnership, corporation, college, university, insurance company, charity, any city, town, county or district of the commonwealth, or by any instrumentality thereof, or individual for the sole purpose of making loans guaranteed in whole or in part by the Massachusetts Higher Education Assistance Corporation; provided, however, that no such plan shall discriminate against any applicant otherwise eligible for such a loan; and provided, further, that such deposits or shares shall not exceed twenty per cent of the assets of the bank or credit union.

Approved May 22, 1980.

Chap. 187. AN ACT AUTHORIZING CITIES AND TOWNS TO ENTER INTO AGREEMENTS WITH CERTAIN BANKS FOR THE COLLECTION OF ACCOUNTS PAYABLE.

Be it enacted, etc., as follows:

Chapter 60 of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. The collector, with the approval of the city council in cities, the board of selectmen in towns and the town council in municipalities having a town council form of government, is hereby authorized to enter into agreements for a term of not more than three years with one or more banks as defined in chapter one hundred and sixty-seven or a national banking association authorized to do business in the commonwealth designating such bank or banking association to receive payments of any taxes or other accounts payable to such city or town. Said agreement shall provide that any tax or other account received by a designated bank shall be processed and credited in the same manner as if such payment had been received in such day directly in the office of such tax collector. Any such payment shall be subject to the provisions of chapters forty-four, sixty and sixty A of the General Laws. Any designated bank or national banking association shall indemnify said city or town and the officers, agents and employees thereof for any losses sustained by it or them on account of the negligence of such bank or national banking association or its failure to perform faithfully its duties and obligations pursuant to any such agreement.

Approved May 22, 1980.

Chap. 188. AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN

HUNDRED AND EIGHTY FOR THE MAINTENANCE OF BARNSTABLE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the current appropriation act for Barnstable county, 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 eighty.

BARNSTABLE COUNTY.

Item		Subtotal	Total
16.	For jail and house of correction, maintenance and operation.....		$12,500 00
5.	Equipment	$12,500 00	
22.	For hospital		30,640 00
1.	Personal services	29,580 00	
6.	All other	1,060 00	
27.	For unpaid bills of previous years		24,000 00
	Total		$67,140 00

SECTION 2. The county commissioners of Barnstable 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 anti-recession fiscal assistance program, the balance to be apportioned and assessed upon the several cities and towns of the county in the manner provided by law.

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

Approved May 27, 1980.

Chap. 189. AN ACT DESIGNATING THE DINOSAUR TRACK AS THE FOSSIL EMBLEM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 2 of the General Laws is hereby amended by adding after section 16, added by chapter 54 of the acts of 1980, the following section:-

Section 17. The dinosaur track shall be the fossil or fossil emblem of the commonwealth.

Approved May 23, 1980.

Chap. 190. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO ADOPT BY-LAWS RELATIVE TO THE

PARKING OF VEHICLES IN RESIDENTIAL AREAS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline may adopt by-laws prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads, parking areas or parkways under the control of said town and may provide that it shall not apply in such residential areas as shall be specified, and at such times as shall be prescribed, in such by-laws to any motor vehicle registered under chapter ninety of the General Laws as principally garaged in the town and owned or used by a person residing in said town 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 by-laws shall prescribe, and filed with the chief of police, notice of intention to park in such area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such by-laws 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; provided, however, that in accordance with the area designations of said town, any person with a place of business in said designated areas and whose motor vehicle is registered under said chapter ninety, may be permitted to participate by giving a writing executed in such form and detail as the by-laws shall prescribe, and filed with the chief of police, which constitutes notice of intention to park in such area and shall display in a conspicuous place on the vehicle, while parked, such visible evidence of the giving of such notice as said by-laws 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.

SECTION 2. Notwithstanding the provisions of any law to the contrary, the town of Brookline may adopt by-laws that provide for metered parking in excess of two hours.

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

Approved May 27, 1980.

Chap. 191. 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 to immediately regulate the dis-

closure of consumer credit costs and terms and 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 1. Subsection (a) of section 4 of chapter 140C of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 517 of the acts of 1969, and inserting in place thereof the following two sentences:- The annual percentage is a measure of the cost of credit, expressed as a yearly rate. For open end credit accounts, an annual percentage rate shall be considered accurate if it is not more than one-eighth of one percentage point above or below the annual percentage rate determined in accordance with this subsection.

SECTION 2. Said section 4 of said chapter 140C is hereby further amended by striking out subsection (b), as so appearing, and inserting in place thereof the following subsection:-

(b) (1) The annual percentage rate is a measure of the cost of credit, expressed as a yearly rate, which relates the amount and timing of value received by the consumer to the amount and timing of payments made. For other than open end credit, the annual percentage rate shall be determined in accordance with either the actuarial method or the United States Rule method and shall be considered accurate if it is not more than one-eighth of one percentage point above or below the annual percentage rate determined in accordance with whichever method is used. The annual percentage rate determined in accordance with the actuarial method shall be the method set forth in Supplement I, prepared by the Board pursuant to the Federal Consumer Credit Protection Act.

(2) (i) The Regulation Z Annual Percentage Rate Tables produced by the board may be used to determine the annual percentage rate, and any such rate determined from these tables in accordance with the instructions contained therein will comply with the requirements of this section. Volume I of the tables applies to single advance transactions involving up to four hundred and eighty monthly payments or one hundred and four weekly payments. It may be used for regular transactions, and for transactions with any of the following irregularities: an odd first period, an odd first payment, and an odd final payment. Volume II applies to transactions involving multiple advances and any type of payment or period irregularity.

(ii) Creditors may use any other computation tool in determin-

ing the annual percentage rate so long as the annual percentage rate so determined equals the annual percentage rate determined in accordance with actuarial method, within the degree of accuracy set forth in clause (1).

(3) If a single add-on rate is applied to all transactions with maturities up to sixty months and if all payments are equal in amount and period, a single annual percentage rate may be disclosed for all such transactions, provided that it is the highest annual percentage rate for any such transaction.

(4) For purposes of disclosing the annual percentage rate referred to in item (1) of subsections (g) and (h) of section seven, if the same finance charge is imposed on all balances within a specified range of balances, the annual percentage rate computed for the median balance may be disclosed for all of the balances; provided, however, that if the annual percentage rate computed for the median balance understates the annual percentage rate computed for the lowest balance by more than eight per cent of the latter rate, the annual percentage rate shall be computed on whatever lower balance will produce an annual percentage rate which does not result in an understatement of more than eight per cent of the rate determined on the lowest balance.

(5) In determining and disclosing the annual percentage rate, a creditor may disregard an irregularity in the first period that falls within the limits described below and any payment schedule irregularity that results from the irregular first period:

(i) For transactions in which the term is less than one year: a first period not more than six days shorter or thirteen days longer than a regular period;

(ii) For transactions in which the term is at least one year and less than ten years: a first period not more than eleven days shorter or twenty-one days longer than a regular period; or

(iii) For transactions in which the term is at least ten years: a first period shorter than or not more than thirty-two days longer than a regular period.

For purposes of this clause, the "first period" is the period from the date on which the finance charge begins to be earned to the date of the first payment, and the "term" is the period from the date on which the finance charge begins to be earned to the date of the final payment.

SECTION 3. Said section 4 of said chapter 140C is hereby further amended by striking out subsection (c), as so appearing, and inserting in place thereof the following subsection:-

(c) An error in disclosure of the annual percentage rate or finance charge shall not, in itself, be considered a violation of this chapter if:

(1) The error resulted from a corresponding error in any calculation tool, such as a chart, table, calculator or computer, used in good faith by the creditor, and

(2) Upon discovery of such error, the creditor promptly

(i) discontinues use of such calculation tool for disclosure purposes, and

(ii) notifies the commissioner in writing of the error in such calculation tool. The notification shall include an identification of such tool and a description of such error.

SECTION 4. Said section 4 of said chapter 140C is hereby further amended by striking out subsections (d) and (e), as so appearing.

SECTION 5. Section 7 of said chapter 140C, as most recently amended by section 2 of chapter 271 of the acts of 1979, is hereby further amended by adding the following two subsections:-

(r) In determining and disclosing the finance charge and the payment schedule under clause (3) of subsection (b), a creditor may disregard an irregular final payment or portion of a final payment that results from an irregular first period within the limits described below and may treat the irregular first period as if it were regular:

(i) for transactions in which the term is less than one year: a first period not more than six days shorter or thirteen days longer than a regular period;

(ii) for transactions in which the term is at least one year and less than ten years: a first period not more than eleven days shorter or twenty-one days longer than a regular period; or

(iii) for transactions in which the term is at least ten years: a first period shorter than or not more than ten days longer than a regular period.

(2) For purposes of this subsection, the first period is the period from the date on which the finance charge begins to be earned to the date of the first payment, and the term is the period from the date on which the finance charge begins to be earned to the date of the final payment.

(s) In making calculations and disclosures, a creditor need not take into account the effects of the following:

(1) payments collected in whole cents;

(2) dates of payments and advances changed because the scheduled date falls on a Saturday, Sunday, or holiday; and

(3) months having different numbers of days.

SECTION 6. Any person who complies with the provisions of sections four and seven of chapter one hundred and forty C of the General Laws in effect immediately prior to the effective date of this act shall be deemed to be in compliance with said sections

four and seven, as amended by this act.

SECTION 7. Section six of this act shall cease to be operative on October first, nineteen hundred and eighty.

Approved May 27, 1980.

Chap. 192. AN ACT RELATIVE TO THE FUNDING OF SALARIES PAYABLE DURING THE MONTHS OF JULY AND AUGUST TO TEACHERS AND OTHER PROFESSIONAL EMPLOYEES OF THE SCHOOL DEPARTMENT IN THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Saugus may exclude from its budget for the fiscal year ending June thirtieth, nineteen hundred and eighty the estimated amounts earned by teachers or any other professional employees of the school department of said town for the school year ending on June thirtieth, nineteen hundred and eighty, which are payable during the months of July and August of the year nineteen hundred and eighty. Said town shall budget for the fiscal year commencing July first, nineteen hundred and eighty, one-half of the amounts necessary to make payments during the months of July and August, of the year nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty, and for the fiscal year commencing July first, nineteen hundred and eighty-one, the full amounts necessary to make payments during the months of July and August, nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty-two. Any excess over the twelve-month budget for school salaries in any of the above fiscal years shall be appropriated by special article in the town meeting of said town for each respective year and said amounts so appropriated shall not be subject to chapter one hundred and fifty-one of the acts of nineteen hundred and seventy-nine limiting local appropriations.

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

Approved May 27, 1980.

Chap. 193. AN ACT RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

Section 34 of chapter 138 of the General Laws, as most recently amended by section 6 of chapter 15 of the acts of 1979, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty years of age, either for his own use or for the use of his parent or 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 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 twenty years of age or whoever procures any such beverages or alcohol for a person under twenty years of age in any establishment licensed under section twelve, or procures any such beverage or alcohol for a person under twenty years of age who is not his child, ward or spouse in any establishment licensed under said section fifteen or nineteen B shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months, or both.

Approved May 27, 1980.

Chap. 194. AN ACT REGULATING TRANSPORTATION AND USE OF AIRCRAFT ON GREAT PONDS.

Be it enacted, etc., as follows:

Section 45 of chapter 131 of the General Laws is hereby amended by adding the following paragraph:-

Notwithstanding any other provisions of this section and section thirty-nine B of chapter ninety, any city or town in which is situated the whole or any portion of any great pond, as defined by section one, may, as to so much thereof which is located within its boundaries, make and enforce rules and regulations relative to the use and operation of aircraft equipped with floats or other means of transportation on water; provided, however, that such regulations, ordinances, or by-laws providing for such use and operation shall first be approved by the Massachusetts aeronautics commission.

Approved May 27, 1980.

Chap. 195. AN ACT RELATIVE TO INTERVIEWS OF RAPE VICTIMS BY POLICE OFFICERS.

Be it enacted, etc., as follows:

Section 97B of chapter 41 of the General Laws, inserted by section 3 of chapter 581 of the acts of 1974, is hereby amended by inserting after the third sentence the following sentence:- A victim of rape who is male shall, whenever possible, be interviewed initially by a male police officer, and a victim of rape who is female shall, whenever possible, be interviewed initially by a woman police officer.

Approved May 27, 1980.

Chap. 196. AN ACT RELATIVE TO THE OPERATION OF HEALTH MAINTENANCE ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 1 of chapter 176G of the General Laws, as appearing in section 1 of chapter 454 of the acts of 1976, is hereby amended by striking out the definition of "Health services" and inserting in place thereof the following definition:-

"Health services", at least reasonably comprehensive physician services, inpatient and outpatient hospital services, emergency health services, and may include chiropractic services and optometric services.

Approved May 27, 1980.

Chap. 197. AN ACT FURTHER REGULATING PROCEDURES FOR THE MAKING AND ENFORCEMENT OF ORDERS FOR SUPPORT.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 36 of chapter 208 of the General Laws, added by section 1 of chapter 522 of the acts of 1979, is hereby amended by inserting after the first sentence the following sentence:- Said wage assignment may be ordered upon the motion of any party during the pendency of an action for divorce, modification or contempt, upon the request of any party in a complaint for modification or contempt or upon the court's own motion.

SECTION 2. Section 32E of chapter 209 of the General Laws, as amended by section 2 of said chapter 522, is hereby further amended by inserting after the first sentence the following sentence:- Said wage assignment may be ordered upon the motion of any party during the pendency of an action for divorce, modification or contempt, upon the request of any party in a complaint for modification or contempt or upon the court's own motion.

Approved May 27, 1980.

Chap. 198. AN ACT AUTHORIZING THE CITY OF GARDNER TO PAY ROBERT L. CROTEAU A CERTAIN SUM OF MONEY FOR UNUSED SICK LEAVE.

Be it enacted, etc., as follows:

The city of Gardner is hereby authorized to appropriate the sum of one thousand two hundred eighty-seven dollars and twenty cents, and after such appropriation the treasurer of said city is hereby authorized and directed to pay such sum to Robert L. Croteau, a former assessor of said city, for twenty days of unused sick leave.

Approved May 27, 1980.

Chap. 199. AN ACT AUTHORIZING THE CITY OF GARDNER TO PAY CHARLES E. ASHER A CERTAIN SUM OF MONEY FOR UNUSED SICK LEAVE.

Be it enacted, etc., as follows:

The city of Gardner is hereby authorized to appropriate the sum of one thousand one hundred thirty-four dollars and eighty cents, and after such appropriation the treasurer of said city is hereby authorized and directed to pay such sum to Charles E. Asher, a former executive director of the commission to promote business and industry, for twenty days of unused sick leave.

Approved May 27, 1980.

Chap. 200. AN ACT DESIGNATING A CERTAIN PARCEL OF LAND IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON AS THE JOHN EDWARD HICKS MEMORIAL PARK.

Be it enacted, etc., as follows:

The land adjacent to the Boston Harbor Yacht Club in the South Boston district of the city of Boston at the end of the M Street Beach on Day Boulevard opposite O Street on the beach side and commonly known as the "horseshoe" included on plan numbered 1398 on file at the Metropolitan Park Commission, shall be designated and known as the John Edward Hicks Memorial Park, in memory of John Edward Hicks, a navy veteran of World War II, a member of Redberry Council No. 117 of the Knights of Columbus and a prominent member of the South Boston community. A suitable marker bearing said designation shall be attached thereto and maintained by the metropolitan district commission.

Approved May 27, 1980.

Chap. 201. AN ACT RELATIVE TO OFFICERS AND COMMITTEES OF A CREDIT UNION.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 71 of the acts of 1979, and inserting in place thereof the following two sentences:- The directors, at a regularly scheduled meeting or at a special meeting of the directors called for that purpose and thereafter at their first meeting after the annual meeting shall elect a president who may or may not be a director and shall elect such other officers as may be necessary for the transaction of the business of the credit union, and shall elect from their own number a chairman of the board, one or more vice chairmen of the board, a clerk, a treasurer, who shall be the officers of the corporation, a credit committee of not less than three members, an auditing committee of three members, and an investment committee of three memebers, all of whom shall hold office until their successors are qualified unless sooner removed as hereafter provided. The offices of president and chairman of the board may be held by the same person.

SECTION 2. The second paragraph of section 21 of said chapter 171 is hereby amended by striking out the introductory sentence, as appearing in chapter 313 of the acts of 1977, and inserting in place thereof the following sentence:- The following investments may be made by the investment committee and a report of any such investments shall be submitted to the board of directors at its regular meeting next following the date upon which any such investment was made in such form as the directors may require and such report and any action taken by the board thereon, shall be made part of the records of such meeting:.

Approved May 27, 1980.

Chap. 202. AN ACT RELATIVE TO THE RESERVE REQUIREMENTS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 20, as most recently amended by chapter 39 of the acts of 1979, and inserting in place thereof the following section:-

Section 20. (1) There shall be maintained a reserve for losses on loans, which reserve shall equal and be maintained at an amount equal to the average losses sustained on said loans

over a period of the previous three most recent years as classified in the commissioner's reports of the last three examinations; provided, however, that if a credit union has not been in existence for three years, the average losses sustained on said loans shall be the average of those losses as classified in the commissioner's reports of its examinations.

(2) There shall be maintained a reserve for losses on investments equal to five per cent of the difference between the book value and the market value of all investments mentioned in section twenty-one, excluding those investments which are included in liquidity.

(3) Should the reserves maintained in clauses (1) and (2) exceed the amount necessary to be kept or maintained in those accounts, the credit union may transfer such excess into an undivided earnings account.

Approved May 27, 1980.

Chap. 203. AN ACT RELATIVE TO SAVINGS DEPOSITS IN TRUST COMPANIES.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by striking out section 51, as most recently amended by section 2 of chapter 120 of the acts of 1978, and inserting in place thereof the following section:-

Section 51. A trust company may receive savings deposits subject to the following limitations:-

1. Deposits from any person for his own account or for the accounts of one or more distinct estates or trusts; but no such account shall be permitted to exceed one hundred and eighty thousand dollars except by accumulation of interest.

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

Said limitations shall not apply to deposits of the following classes: deposits by trustees or custodians appointed pursuant to the provisions of the Self-Employed Individuals Tax Retirement Act of 1962 (Public Law 87-792) or pursuant to the provisions of the Employee Retirement Income Security Act of 1974 (Public Law 93-406) or pursuant to the provisions of section 152 of the Revenue Act of 1978 (Public Law 95-600); deposits by the

commonwealth or any town, city or county of the commonwealth or by any instrumentality thereof; deposits by a religious, charitable or educational corporation or organization, a labor union, credit union, or fraternal benefit society; deposits in the name of a judge of probate, or by order of any court; deposits of any trust fund held by a town for public uses or deposits on account of a sinking fund of a town in the commonwealth; deposits of funds representing replacement reserves or similar accumulations required under the provisions of any mortgage held by such corporation and insured by the federal housing administrator; deposits in such corporation acquired by any person or persons by inheritance or bequest; deposits of the funds of any state, county or municipal retirement or pension system or association; deposits of the funds of any private retirement or pension system or association; deposits of funds of a corporation, partnership, association or other business entity, provided that the deposit accounts of any such depositor shall not exceed one hundred and fifty thousand dollars at such trust company; and deposits of funds of any housing authority created under sections three and five of chapter one hundred and twenty-one B.

Approved May 27, 1980.

Chap. 204. AN ACT RELATIVE TO CERTAIN MORTGAGE LOANS MADE BY SAVINGS BANKS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. 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 1 of chapter 73 of the acts of 1978, and inserting in place thereof the following sentence:- No loan of this class shall be made or acquired for a sum in excess of ninety-three thousand seven hundred and fifty dollars.

SECTION 2. Paragraph 6B of said section 35 of said chapter 168 is hereby amended by striking out the fifth sentence, as amended by section 2 of said chapter 73, and inserting in place thereof the following sentence:-

No loan of this class shall be made or acquired for a sum in excess of seventy-five thousand dollars.

SECTION 3. Paragraph 7 of section 35 of said chapter 168 is hereby amended by striking out the second sentence, as most recently amended by chapter 40 of the acts of 1973, and inserting in place thereof the following sentence:- Such mortgage loan shall not exceed seventy-five per cent of the aggregate estimated

completed value of the parcels of land and structures thereon securing the mortgage, or one hundred thousand dollars with respect to each parcel and structures thereon, whichever amount is the lesser.

SECTION 4. Subsection 3A of section 24 of chapter 170 of the General Laws is hereby amended by striking out clause (a), as most recently amended by section 1 of chapter 30 of the acts of 1978, and inserting in place thereof the following clause:-

(a) a loan under this subsection shall not exceed ninety-three thousand seven hundred fifty dollars;.

SECTION 5. Subsection 3B of said section 24 of said chapter 170 is hereby amended by striking out clause (a), as most recently amended by section 2 of said chapter 30, and inserting in place thereof the following clause:-

(a) a loan made under this subsection shall not exceed seventy-five thousand dollars;.

Approved May 28, 1980.

Chap. 205. AN ACT REGULATING THE MEMBERSHIP OF THE LUNENBURG REPUBLICAN TOWN COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nine of chapter fifty-two of the General Laws, the Lunenburg republican town committee shall consist of not more than thirty-five members.

SECTION 2. This act shall become inoperative on March fourth, nineteen hundred and eighty-four.

SECTION 3. This act shall take effect as of March third, nineteen hundred and eighty.

Approved May 28, 1980.

Chap. 206. AN ACT EXEMPTING CERTAIN ENERGY COSTS FROM THE LIMITATIONS ON PROPERTY TAX LEVIES AND EXPENDITURES OF CITIES, TOWNS, AND OTHER LOCAL GOVERNMENTAL UNITS DEPENDENT ON THE PROPERTY TAX.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to immediately exempt certain energy costs from the limitations on property tax levies which restrict the expenditures of cities, towns and other local governmental units dependent on the property tax, therefore 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 151 of the acts of 1979 is hereby amended by inserting after section 15 the following five sections:-

Section 15A. All sums of money voted by a local appropriating authority or a governing body for payment of the cost of fuel, as defined in paragraph (d) of section one of chapter sixty-four A of the General Laws, special fuels, as defined in paragraph (c) of section one of chapter sixty-four E of the General Laws, heating oil which meets the standards promulgated pursuant to section two hundred and forty-nine H of chapter ninety-four of the General Laws, natural gas, coal and electrical power which exceed the sums voted by such local appropriating authority or governing body or transferred from a reserve fund under the provisions of section six of chapter forty for payment of the cost of such items for the preceding fiscal year shall not be subject to the budget limit, appropriations limit and levy limit described in sections three to five, inclusive.

Section 15B. In order to assist the commissioner of revenue in making the determinations or redeterminations required by section thirteen, the commissioner may require the chief accounting officer of any city, town, district which levies directly a property tax or governmental unit to identify and report to him the sums of money voted by such city, town, district or governmental unit for its fiscal year ending in the year nineteen hundred and eighty and for its fiscal year ending in the year nineteen hundred and eighty-one for payment of the cost of the items listed in section fifteen A.

Section 15C. All sums of money voted by a local appropriating authority or a governing body for the payment of costs incurred for energy conservation projects, as defined in section three of chapter twenty-five A of the General Laws, shall not be subject to the budget limit, appropriations limit and levy limit described in sections three to five, inclusive, if the secretary of energy resources determines that the city, town, district or governmental unit has established a system of energy consumption monitoring of the buildings and facilities owned and operated by it and has undertaken an energy audit of such buildings and facilities. Cities, towns, districts and governmental units requesting a determination by the secretary of energy resources under the provisions of this section shall present such records and other information as the secretary deems necessary in order for him to make such determination.

Section 15D. Notwithstanding any provisions of law to the contrary, no sums of money voted for payment of the cost of items specified in sections fifteen A and fifteen C shall be appropriated or transferred to any other purpose during the fiscal year by any local appropriating authority or governing body or

used by any city, town, district or governmental unit for any other purpose, if the amount so appropriated, transferred or used would cause any limit prescribed by this act to be exceeded.

Section 15E. The provisions of sections fifteen A to fifteen D, inclusive, shall apply to all budgets, appropriations and levies, whether acted upon before or after the effective date of this act, for the fiscal or calendar years beginning after June thirtieth, nineteen hundred and eighty and ending on or before December thirty-first, nineteen hundred and eighty-one. Sums of money voted for items specified in sections fifteen A and fifteen C shall be subject to the provisions of sections fifteen A to fifteen D, inclusive, whether or not voted upon as a separate item or items.

(The foregoing was laid before the Governor on the 15th day of May, 1980 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. 207. AN ACT PROVIDING FOR THE APPOINTMENT, TERMS OF OFFICE AND REMOVAL OF THE MEMBERS OF THE BOARD OF PUBLIC WORKS IN 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 board of public works in the city of Fall River shall be nominated and appointed by the mayor with the 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, and one for a term of three years. Thereafter, when the term of any member expires, his successor shall be appointed to serve for a term of three years. In all cases the members thereof shall serve until their successors are duly appointed and qualified. In case of a vacancy in said board, 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 consent of the city council may remove a member of said board but only for just cause and after a public hearing.

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

Approved May 29, 1980.

Chap. 208. AN ACT EXEMPTING THE POSITION OF INSPECTOR OF PLUMBING IN THE TOWN OF HANSON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of inspector of plumbing in the town of Hanson 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 May 29, 1980.

Chap. 209. AN ACT AUTHORIZING THE NORTH PURCHASE CEMETERY ASSOCIATION TO RECEIVE AND ADMINISTER THE PROPERTY OF THE WOODLAWN CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Woodlawn Cemetery Association of the city of Attleboro, incorporated on March thirteenth, nineteen hundred and twelve, by chapter two hundred and thirty of the acts of nineteen hundred and twelve, is hereby authorized to convey to the North Purchase Cemetery Association, also of said city of Attleboro, incorporated on March seventh, nineteen hundred and twenty-one, under the provisions of chapters one hundred and fourteen and one hundred and seventy-nine of the General Laws, and said North Purchase Cemetery Association is hereby authorized to receive from said Woodlawn Cemetery Association, upon such terms as may be mutually agreed upon, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of said Woodlawn Cemetery Association, including all monies and trust funds belonging to the said Woodlawn Cemetery Association; and provided, however, that the North Purchase Cemetery Association shall be known as Woodlawn-North Purchase Cemeteries Association.

SECTION 2. After such conveyance and transfer, the Woodlawn-North Purchase Cemeteries Association shall hold said property and rights upon the same trust and for the same uses and purposes as the same were previously held by said Woodlawn Cemetery Association and shall be charged with the same duties and liabilities relative thereto. All rights which any person has acquired in the cemetery lands of the Woodlawn Cemetery Association shall remain valid as to the Woodlawn-North Purchase Cemeteries Association, and, except as otherwise provided herein, all pertinent provisions of chapter two hundred and thirty of the

acts of nineteen hundred and twelve shall apply to said lands.

SECTION 3. The power to transfer, hold and use monies and trust funds granted by this act shall be exercised only in conformity with a decree of a court of competent jurisdiction entered within one year after the effective date of this act.

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

Approved May 29, 1980.

Chap. 210. AN ACT EXEMPTING THE POSITION OF EXECUTIVE DIRECTOR OF THE COUNCIL ON AGING OF THE TOWN OF WEST SPRINGFIELD FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of executive director of the council on aging of the town of West 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 May 29, 1980.

Chap. 211. AN ACT RELATIVE TO THE ACT OF INCORPORATION OF THE PROPRIETORS OF FOREST HILLS CEMETERY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 57 of the acts of 1868 is hereby amended by striking out section 2, as amended by chapter 36 of the acts of 1958, and inserting in place thereof the following section:-

Section 2. Said corporation may purchase, acquire, receive and hold real estate in that part of the city of Boston known as West Roxbury, in the county of Suffolk, to the extent of five hundred acres; and said corporation may also hold personal estate to an amount not exceeding twenty million dollars.

SECTION 2. The first paragraph of section 4 of said chapter 57 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The officers of said corporation shall consist of not less than seven nor more than twelve trustees, a president, a treasurer, a secretary and such other officers as they may direct.

SECTION 3. The second paragraph of said section 4 of said chapter 57 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Said trustees shall receive reasonable compensation for their services as such trustees.

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

Approved May 29, 1980.

Chap. 212. AN ACT FURTHER REGULATING PAYMENT BY HEALTH SERVICE CORPORATIONS OF CLAIMS DUE TO ESTATES OF DECEASED SUBSCRIBERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 176A of the General Laws is hereby amended by adding the following section:-

Section 32. A nonprofit hospital service corporation which, upon the death of a subscriber, owes the subscriber's estate an aggregate sum not exceeding two thousand dollars under any contract for hospital care or reimbursement for other health services, may, at any time not less than sixty days after the subscriber's death, pay such sum to the husband, wife and next of kin of the subscriber and any such payment made in good faith shall fully discharge the corporation to the extent thereof; provided, however, that this section shall not apply if, prior to the time of such payment, the corporation has received a written claim under the subscriber's contract from any executor, administrator, or special administrator of the subscriber's estate.

SECTION 2. Chapter 176B of the General Laws is hereby amended by adding the following section:-

Section 19. A medical service corporation which, upon the death of a subscriber, owes the subscriber's estate an aggregate sum not exceeding two thousand dollars under any medical service agreement, may, at any time not less than sixty days after the subscriber's death, pay such sum to the husband, wife and next of kin of the subscriber and any such payment made in good faith shall fully discharge the corporation to the extent thereof; provided, however, that this section shall not apply if, prior to the time of such payment, the corporation has received a written claim under the subscriber's medical service agreement from any executor, administrator, or special administrator of the subscriber's estate.

SECTION 3. Chapter 176E of the General Laws is hereby amended by inserting after section 15 the following section:-

Section 15A. A dental service corporation which, upon the death of a subscriber, owes the subscriber's estate an aggregate sum not exceeding two thousand dollars under any contract for dental and surgical services, may, at any time not less than sixty days after the subscriber's death, pay such sum to the husband, wife and next of kin of the subscriber and any such payment made in good faith shall fully discharge the corporation to the extent thereof; provided, however, that this section shall

not apply if, prior to the time of such payment, the corporation has received a written claim under the subscriber's contract from any executor, administrator, or special administrator of the subscriber's estate.

Approved May 29, 1989.

Chap. 213. AN ACT FACILITATING THE CONDUCT OF INVESTIGATIONS BY THE BOARD OF REGISTRATION IN MEDICINE.

Be it enacted, etc., as follows:

Section 5 of chapter 112 of the General Laws is hereby amended by striking out the fourth paragraph inserted by chapter 623 of the acts of 1977 and inserting in place thereof the following paragraph:-

No person filing a complaint or reporting or providing information pursuant to this section or assisting the board at its request in any manner in discharging its duties and functions shall be liable in any cause of action arising out of the receiving of such information or assistance, provided the person making the complaint or reporting or providing such information or assistance does so in good faith and without malice. The board shall keep confidential any complaint, report, record or other information received or kept by the board in connection with an investigation conducted by the board pursuant to this section; provided, however, that except to the extent that disclosures of records or other information may be restricted as otherwise provided by law, investigative records or information of the board shall not be kept confidential after the board has by dismissal, adjudication or other final action disposed of the matter under investigation nor shall the requirement that investigative records or information be kept confidential at any time apply to requests from the person under investigation for disclosure of information.

Approved May 29, 1980.

EMERGENCY LETTER - June 2, 1980 @ 2:07 P.M.

Chap. 214. AN ACT RELATIVE TO THE FILING OF A CERTIFICATE OF CONDITION BY CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 109 of chapter 156B of the General Laws, as most recently amended by section 4 of chapter 491 of the acts of 1978, is hereby further amended by striking out the introductory paragraph and inserting in place thereof the following

paragraph:- Every corporation shall annually, on or before the fifteenth day of the third month following the close of its fiscal year, but not before the date fixed in its by-laws for its annual meeting, prepare and submit to the state secretary a report of condition which shall be signed under the penalties of perjury by an officer of the corporation, stating:.

SECTION 2. The fourth paragraph of section 4 of chapter 181 of the General Laws, is hereby amended by striking out, in line 1, the words "within six months of", as appearing in section 1 of chapter 844 of the acts of 1973, and inserting in place thereof the words:- on or before the fifteenth day of the third month following.

Approved May 29, 1980.

Chap. 215. AN ACT RELATIVE TO THE SALE OR POSSESSION OF STRIPED BASS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 130 of the General Laws is hereby amended by striking out section 100A, inserted by section 2 of chapter 264 of the acts of 1945, and inserting in place thereof the following section:-

Section 100A. The director, with the approval of the marine fisheries advisory commission, shall, adopt rules and regulations relative to the taking, sale or possession of striped bass but in no instance shall any rule or regulation authorize the taking, sale or possession of striped bass measuring less than sixteen inches from the apex of the tail to the farthest extremity of the head. Whoever violates any rule or regulations made pursuant to this section shall be punished by a fine of not less than ten dollars for each such fish.

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

Approved May 29, 1980.

Chap. 216. AN ACT RELATIVE TO THE NEGOTIATING AND PURCHASING OF GROUP INSURANCE BY GOVERNMENTAL UNITS.

Be it enacted, etc., as follows:

Section 12 of chapter 32B of the General Laws, as appearing in section 1 of chapter 730 of the acts of 1956, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Upon acceptance of this chapter as herein provided, the appropriate public authorities of two or

more governmental units may join together in negotiating and purchasing, as provided in section three, one or more policies of insurance providing the benefits set forth herein for the employees of all said governmental units.

Approved May 29, 1980.

Chap. 217. AN ACT AUTHORIZING AN INCREASED AMOUNT FOR WHICH CONTRACTS WITH CITIES AND TOWNS MAY BE INVITED.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 4F the following section:-

Section 4G. Notwithstanding the provisions of section four B, in any city or town which accepts the provisions of this section, unless otherwise provided by by-law or special law in towns and districts, no contract for the purchase of equipment, supplies or materials, the actual or estimated cost of which amounts to four thousand dollars or more, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded unless proposals for the same have been invited by advertisement in at least one newspaper, if any, published in the town or district, otherwise in at least one newspaper of general circulation in the town or district, such publication to be at least one week before the time specified for the opening of said proposals. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve to the town or district the right to reject any or all such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provisions of this section. Materials purchased by any town, under specifications of the department of public works, and at prices established by said department of public works, pursuant to advertising and bidding for such purpose, in connection with work to be performed under the provisions of chapter eighty-one or chapter ninety, shall not be subject to the requirements of this section. The provisions of this section shall apply to regional school districts. The provisions of this section shall not be construed to prevent the purchase of supplies for municipally operated hospitals without advertised public bids under group purchasing contracts with any agency which has been certified for this purpose by the director of accounts in the bureau of accounts, provided that such contracts are filed with the town accountant or city auditor.

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

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

Whoever violates any provision of this section shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than three years or in a jail or house of correction for not more than two and one-half years, or by both such fine and imprisonment; and in the event of final conviction, said person shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any county, district, or municipal agency.

Approved May 29, 1980.

EMERGENCY LETTER - July 2, 1980 @ 4:30 P.M.

Chap. 218. AN ACT RELATIVE TO THE PAYMENT OF SAVINGS DEPOSITS STANDING IN THE NAME OF DECEASED DEPOSITORS.

Be it enacted, etc., as follows:

Section 67 of chapter 172 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 33 of the acts of 1978, and inserting in place thereof the following sentence:- Savings, checking or other deposit account deposits standing in the name of a deceased depositor shall, except as provided in section fifty-two and fifty-three, be paid to his legal representative; provided that, if the deposit does not exceed three thousand dollars and there has been no demand for payment by a duly appointed executor or administrator, payment may be made, in the discretion of the treasurer or other duly authorized officer of the corporation, or pursuant to special vote of the board of directors, after the expiration of sixty days from the death of such depositor, to the surviving husband, wife or next of kin of such deceased, upon presentation of a copy of the death certificate and the surrender of the deposit book or other instrument, if any, evidencing the deposit.

Approved May 29, 1980.

Chap. 219. AN ACT REQUIRING CREDIT UNIONS TO REPORT CERTAIN INFORMATION TO THE BANK COMMISSIONER CONCERNING BORROWINGS.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 171 of the General Laws is hereby amended by inserting after the fourth sentence, as appearing in the Tercentenary Edition, the following two sentences:- The board of directors shall forthwith report the terms and conditions of any such borrowing and of any renewal, renegotiation or refinancing thereof to the commissioner, and if the credit union is a member thereof, to the Massachusetts Credit Union Share Insurance Corporation. Said board shall provide such reports, financial statements and other information as the commissioner or, if the credit union is a member thereof, the Massachusetts Credit Union Share Insurance Corporation may from time to time request while any such borrowing or portion thereof remains unpaid.

SECTION 2. The provisions of this act shall apply to all borrowings which remain unpaid, in whole or in part, on the effective date of this act and to all borrowings which are made on or after such date.

Approved May 29, 1980.

Chap. 220. AN ACT RELATIVE TO PUBLISHED NOTICES OF PUBLIC HEARINGS.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 11A$\frac{1}{2}$ of chapter 30A of the General Laws, as appearing in section 2 of chapter 829 of the acts of 1977, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The notice shall be printed in easily readable type and shall include the date, time and place of such meeting.

SECTION 2. The sixth paragraph of section 9G of chapter 34 of the General Laws, as appearing in section 2 of chapter 303 of the acts of 1975, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The notice shall be printed in easily readable type and shall include the date, time and place of such meeting.

SECTION 3. The sixth paragraph of section 23B of chapter 39 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 6 of chapter 397 of the acts of 1976, and inserting in place thereof the following sentence:- The notice shall be printed in easily readable type and

shall contain the date, time and place of such meeting.

Approved May 29, 1980.

Chap. 221. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF BARNSTABLE 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 ending June thirtieth, nineteen hundred and eighty-one.

BARNSTABLE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$57,172 50
2.	For reduction of county debt.....		175,000 00
3.	For county commissioners, salaries and expenses.....		99,294 16
	1. Personal services	$88,067 66	
	2. Contractual services	4,560 00	
	3. Supplies and materials	2,410 00	
	4. Current charges and obligations	2,820 00	
	5. Equipment	1,436 50	
4.	For transportation and expenses of county and acting commissioners.....		1,700 00
6.	For county treasurer, salaries and expenses.....		85,109 26
	1. Personal services	71,134 26	
	2. Contractual services	6,650 00	
	3. Supplies and materials	4,500 00	
	4. Current charges and obligations	1,700 00	
	5. Equipment	1,125 00	
7.	For sheriff, salary and expenses.....		26,980 48
	1. Personal services	22,515 48	
	2. Contractual services	525 00	
	3. Supplies and materials	3,550 00	
	4. Current charges and obligations	390 00	

Item		Subtotal	Total
8.	For registry of deeds, salaries and expenses		$722,576 06
	1. Personal services	$603,571 06	
	2. Contractual services	63,260 00	
	3. Supplies and materials	27,425 00	
	4. Current charges and obligations	27,020 00	
	5. Equipment	1,300 00	
10.	For highways, including state highways, bridges and land damages		29,200 00
	2. Contractual services	29,200 00	
15.	For medical examiners and commitments of insane		50,200 00
16.	For jail and house of correction, maintenance and operation		1,169,293 87
	1. Personal services	847,808 87	
	2. Contractual services	85,800 00	
	3. Supplies and materials	190,250 00	
	4. Current charges and obligations	15,410 00	
	5. Equipment	30,025 00	
18.	For court houses and registry buildings, maintenance and operation		430,828 87
	1. Personal services	213,768 57	
	2. Contractual services	130,320 70	
	3. Supplies and materials	73,689 00	
	4. Current charges and obligations	5,090 60	
	5. Equipment	3,865 00	
	6. All other	4,095 00	
20.	For agricultural school or county cooperative extension service		154,688 50
	1. Personal services	138,957 50	
	2. Contractual services	7,811 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	495 00	
	5. Equipment	1,425 00	
22.	For hospital		2,408,468 81
	1. Personal services	1,631,723 81	
	2. Contractual services	222,800 00	
	3. Supplies and materials	330,430 00	
	4. Current charges and obligations	163,505 00	
	5. Equipment	43,910 00	
	6. All other	16,100 00	

Item		Subtotal	Total
23.	For health service		$317,547 66
	1. Personal services	$281,163 31	
	2. Contractual services	24,500 00	
	3. Supplies and materials	7,145 00	
	4. Current charges and obligations	1,750 00	
	5. Equipment	2,989 35	
24.	For noncontributory pensions		81,819 12
25.	For contributory retirement system and supervisory expenses		274,280 00
26.	For miscellaneous and contingent expenses		243,205 74
27.	For unpaid bills of previous years		10,000 00
28.	For reserve fund		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		125,000 00
31.	For radio system for fire protection or police radio system		358,838 49
32a.	For maintenance, forest fire apparatus		9,925 00
33.	For police training school and bureau of criminal investigation		197,101 54
35.	For county planning or development commission		212,199 73
36.	For police services building		24,694 00
37.	For drug abuse information bureau		69,962 52
38.	For county airplane, maintenance and operation		7,445 00
	2. Contractual services	2,200 00	
	3. Supplies and materials	1,200 00	
	4. Current charges and obligations	1,045 00	
	5. Equipment	3,000 00	
39.	For group insurance		300,000 00
41.	For fire training school		22,400 00
43.	For retired senior volunteer program		13,060 00
44.	For family services		40,000 00
46.	For home care		59,200 00
	Total amount of appropriations		$7,827,191 31
	Less estimated amount available for reduction of county tax		3,298,218 90
	And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$4,528,972 41

The following sums are hereby appropriated for said fiscal year from federal revenue sharing funds, subject to the pro-

visions of law regulating the disbursement of county funds and approval thereof.

Item		
2.	For reduction of county debt.....	$208,750 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved May 29, 1980.

Chap. 222. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF THE COUNTY OF DUKES COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the county of Dukes County, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and eighty-one.

DUKES COUNTY.

Item		Subtotal	Total
3.	For county commissioners, salaries and expenses.....		$32,960 86
1.	Personal services	$30,613 36	
2.	Contractual services	900 00	
3.	Supplies and materials	1,150 00	
4.	Current charges and obligations	107 50	
5.	Equipment	190 00	
4.	For transportation and expenses of county and acting commissioners...		150 00
6.	For county treasurer, salaries and expenses.....		17,255 34
1.	Personal services	16,095 34	
2.	Contractural services	625 00	
3.	Supplies and materials	450 00	
4.	Current charges and obligations	85 00	
7.	For sheriff, salary and expenses.....		18,589 48
1.	Personal services	15,714 48	
2.	Contractual services	800 00	
3.	Supplies and materials	1,650 00	
5.	Equipment	425 00	

Item		Subtotal	Total
8.	For registry of deeds, salaries and expenses		$58,555 79
	1. Personal services	$46,560 79	
	2. Contractual services	9,000 00	
	3. Supplies and materials	2,950 00	
	4. Current charges and obligations	45 00	
10.	For highways, including state highways, bridges and land damages		5,000 00
	6. All other	5,000 00	
15.	For medical examiners and commitments of insane		3,500 00
16.	For jail and house of correction, maintenance and operation		102,957 45
	1. Personal services	66,212 45	
	2. Contractual services	34,450 00	
	3. Supplies and materials	2,250 00	
	5. Equipment	45 00	
18.	For court houses and registry buildings, maintenance and operation		28,387 96
	1. Personal services	13,362 96	
	2. Contractual services	11,500 00	
	3. Supplies and materials	1,000 00	
	4. Current charges and obligations	650 00	
	5. Equipment	875 00	
	6. All other	1,000 00	
20.	For agricultural school or county cooperative extension service		49,979 09
	1. Personal services	39,744 09	
	2. Contractual services	7,450 00	
	3. Supplies and materials	1,775 00	
	4. Current charges and obligations	1,010 00	
21.	For state reservation, maintenance and operation (Indian Burial Ground)		1,000 00
23a.	For mental health program or tuberculosis clinic		7,000 00
23c.	For public health program		13,500 00
24.	For noncontributory pensions		10,500 00
25.	For contributory retirement system and supervisory expenses		39,000 00
26.	For miscellaneous and contingent expenses		72,866 35
27.	For unpaid bills of previous years		5,000 00
28.	For reserve fund		10,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		55,039 52

Item		Subtotal	Total
33.	For police training school and bureau of criminal investigation		$850 00
38.	For county airport, maintenance and operation		463,461 70
	1. Personal services	$24,991 70	
	2. Contractual services	21,000 00	
	3. Supplies and materials	267,800 00	
	4. Current charges and obligations	9,600 00	
	5. Equipment	40,070 00	
39.	For group insurance		54,000 00
42.	For rat control program		18,090 00
44.	For communication center		86,249 60
	Total amount of appropriations		$1,153,893 14
	Less estimated amount available for reduction of county tax		458,083 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		$695,810 14

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		
1.	For interest on county debt	$5,000 00
2.	For reduction of county debt	20,000 00
	Total	$25,000 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved May 29, 1980.

Chap. 223. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF FRANKLIN 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 ending June

thirtieth, nineteen hundred and eighty-one.

FRANKLIN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$3,750 00
3.	For county commissioners, salaries and expenses		47,924 87
1.	Personal services	$35,199 87	
2.	Contractual services	10,725 00	
3.	Supplies and materials	750 00	
4.	Current charges and obligations	400 00	
5.	Equipment	850 00	
4.	For transportation and expenses of county and acting commissioners.....		700 00
6.	For county treasurer, salaries and expenses...		45,078 09
1.	Personal services	35,728 09	
2.	Contractual services	7,050 00	
3.	Supplies and materials	1,700 00	
4.	Current charges and obligations	600 00	
7.	For sheriff, salary and expenses.....		20,029 32
1.	Personal services	19,024 32	
2.	Contractual services	750 00	
3.	Supplies and materials	125 00	
4.	Current charges and obligations	130 00	
8.	For registry of deeds, salaries and expenses		127,537 64
1.	Personal services	97,782 64	
2.	Contractual services	23,925 00	
3.	Supplies and materials	3,700 00	
4.	Current charges and obligations	1,230 00	
5.	Equipment	900 00	
10.	For highways, including state highways, bridges and land damages.....		13,500 00
2.	Contractual services	8,450 00	
3.	Supplies and materials	50 00	
6.	All other	5,000 00	
15.	For medical examiners and commitments of insane.....		15,000 00
16.	For jail and house of correction, maintenance and operation.....		508,648 40
1.	Personal services	356,783 40	
2.	Contractual services	36,075 00	
3.	Supplies and materials	89,600 00	
4.	Current charges and obligations	6,900 00	
5.	Equipment	2,790 00	

Item		Subtotal	Total
	6. All other	$16,500 00	
18.	For court houses and registry buildings, maintenance and operation.....		$90,856 20
	1. Personal services	46,811 20	
	2. Contractual services	22,430 00	
	3. Supplies and materials	21,305 00	
	4. Current charges and obligations	225 00	
	5. Equipment	85 00	
20.	For agricultural school or county cooperative extension service.....		193,869 19
	1. Personal services	167,004 19	
	2. Contractual services	20,870 00	
	3. Supplies and materials	4,450 00	
	4. Current charges and obligations	575 00	
	5. Equipment	970 00	
21.	For state reservation, maintenance and operation (Whately Recreation Area)		8,025 00
	2. Contractual services	5,525 00	
	3. Supplies and materials	1,500 00	
	4. Current charges and obligations	1,000 00	
24.	For noncontributory pensions.....		23,751 93
26.	For miscellaneous and contingent expenses....		22,900 00
27.	For unpaid bills of previous years.....		5,000 00
28.	For reserve fund.....		25,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county....		31,200 00
31.	For radio system for fire protection.....		5,145 00
31a.	For police radio system.....		1,595 00
31b.	For medical service radio system.....		1,040 00
35.	For county planning.....		89,150 60
37.	For human services.....		200,525 44
39.	For group insurance.....		63,000 00
	Total amount of appropriations		$1,543,226 68
	Less estimated amount available for reduction of county tax.....		104,100 00
	And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of.....		$1,439,126 68

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		
25.	For contributory retirement system and supervisory expenses	$105,832 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved May 29, 1980.

Chap. 224. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF HAMPSHIRE 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 ending June thirtieth, nineteen hundred and eighty-one.

HAMPSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$361,900 00
2.	For reduction of county debt		225,857 00
3.	For county commissioners, salaries and expenses		85,274 46
	1. Personal services	$77,904 46	
	2. Contractual services	4,760 00	
	3. Supplies and materials	1,500 00	
	4. Current charges and obligations	1,110 00	
4.	For transportation and expenses of county and acting commissioners		1,500 00
5.	For centralized purchasing department, salaries and expenses		27,683 16
	1. Personal services	23,393 16	
	2. Contractual services	2,475 00	
	3. Supplies and materials	750 00	
	4. Current charges and obligations	865 00	
	5. Equipment	200 00	
6.	For county treasurer, salaries and expenses		92,825 56
	1. Personal services	80,395 56	
	2. Contractual services	4,800 00	

Item		Subtotal	Total
3.	Supplies and materials	$2,050 00	
4.	Current charges and obligations	4,080 00	
5.	Equipment	1,500 00	
7.	For sheriff, salary and expenses.....		$26,310 48
1.	Personal services	25,515 48	
2.	Contractual services	500 00	
3.	Supplies and materials	20 00	
4.	Current charges and obligations	275 00	
8.	For registry of deeds, salaries and expenses		171,464 38
1.	Personal services	128,629 38	
2.	Contractual services	33,310 00	
3.	Supplies and materials	5,400 00	
4.	Current charges and obligations	3,575 00	
5.	Equipment	550 00	
10.	For highways, including state highways, bridges and land damages.....		39,110 00
2.	Contractual services	26,610 00	
6.	All other	12,500 00	
15.	For medical examiners and commitments of insane.....		35,940 00
16.	For jail and house of correction, maintenance and operation.....		931,645 14
1.	Personal services	654,699 14	
2.	Contractual services	49,425 00	
3.	Supplies and materials	197,850 00	
4.	Current charges and obligations	15,352 00	
5.	Equipment	14,319 00	
16a.	For correctional services.....		158,168 66
1.	Personal services	104,606 66	
2.	Contractual services	31,460 00	
3.	Supplies and materials	14,600 00	
4.	Current charges and obligations	7,202 00	
5.	Equipment	300 00	
18.	For court houses and registry buildings, maintenance and operation.....		285,233 89
1.	Personal services	95,253 89	
2.	Contractual services	168,820 00	
3.	Supplies and materials	9,186 00	
4.	Current charges and obligations	11,974 00	
20.	For agricultural school or county cooperative		

Item			Subtotal	Total
		extension service		$185,137 76
	1.	Personal services	$156,622 76	
	2.	Contractual services	19,705 00	
	3.	Supplies and materials	5,310 00	
	4.	Current charges and obligations	3,500 00	
21.		For state reservation, maintenance and operation (Mount Tom)		34,378 83
26.		For miscellaneous and contingent expenses		32,769 00
27.		For unpaid bills of previous years		3,200 00
28.		For reserve fund		50,000 00
29.		For advertising recreational, industrial and agricultural advantages of the county		38,900 00
31.		For radio system for fire protection		3,600 00
32.		For forest development or state fire patrol		4,039 06
35.		For county planning		51,698 20
37.		For human services		109,187 05
39.		For group insurance		90,000 00
41.		For firefighting training		8,785 00
45.		For county regional housing authority		650 00
		Total amount of appropriations		$3,055,257 63
		Less estimated amount available for reduction of county tax		196,975 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		$2,858,282 63

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

Item			
24.	For noncontributory pensions		$40,040 16
25.	For contributory retirement systems and supervisory expenses		162,670 00
	Total		$202,710 16

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved May 29, 1980.

Chap. 225. AN ACT AUTHORIZING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE 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 eighty-one the sums set forth in this act for the care, maintenance and repair of the county hospital and to chapter one hundred and eleven of the General Laws.

HAMPSHIRE COUNTY.

Item		
1.	For personal services	$1,425,608 95
2.	For contractual services	123,400 00
3.	For supplies and materials	338,750 00
4.	For current charges and obligations	173,109 00
5.	For equipment	10,400 00
8.	For debt and interest	205,875 00
11.	For reserve fund	25,000 00
12.	For group insurance	70,000 00
	For total expenditures	$2,372,142 95

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved May 29, 1980.

Chap. 226. AN ACT PROVIDING FOR REMOVAL ELECTIONS IN THE TOWN OF DUDLEY.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of Dudley may be recalled and removed therefrom by the qualified voters of the town as herein provided.

SECTION 2. Any five qualified voters of the town may make and file with the town clerk an affidavit containing the name of the officer sought to be removed and a statement of the grounds of removal. The town clerk shall thereupon deliver to said voters making such affidavit a sufficient number of copies of petition blanks for such recall and removal. Said blanks shall be issued by the town clerk with his signature and official seal attached thereto; and shall be dated and addressed to the selectmen. Said blanks shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be removed, the office from which removal is sought, the grounds of removal as stated in said affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. Said recall petition shall be returned and filed with the town clerk within thirty days after the

filing of the affidavit. Said petition before being returned and filed shall be signed by ten per cent of the qualified voters, and to every such signature shall be added the place of residence of the signer, giving the street and number. The recall petition shall be submitted, at or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed, to the registrars of voters in the town, and the registrars shall forthwith certify thereon the number of signatures which are names of voters of the town.

SECTION 3. If the petition shall be found and certified by the town clerk to be sufficient, he shall submit the same with his certificate to the selectmen without delay, and the selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order a removal election to be held on a Tuesday fixed by them not less than twenty-five nor more than thirty-five days after the date of the town clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within sixty days after the date of said certificate, the selectmen may, in their discretion, postpone the holding of the removal election to the date of such other election. If a vacancy occurs in said office after a removal election has been so ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer sought to be removed may be a candidate to succeed himself and, unless he requests otherwise in writing, the town clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for the removal election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act. A majority of those voting at the recall election shall be sufficient to recall such elected officer.

SECTION 5. The incumbent shall continue to perform the duties of his office until the removal election. If then re-elected, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in section seven. If not re-elected in the removal election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

SECTION 6. Ballots used in a removal election shall submit the following propositions in the order indicated:

For the removal of (name of officer).

Against the removal of (name of officer).

Immediately at the right of each proposition there shall be a square in which the voter, by making a cross mark (X) may vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote for one" and beneath this the names of candidates nominated as hereinbefore provided.

If a majority of the votes cast on the recall question is in the affirmative, then this candidate that received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of the votes on the question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted.

SECTION 7. No removal petition shall be filed against an officer within three months after he takes office, nor in the case of an officer subjected to a removal election and not removed thereby, until at least three months after that election.

SECTION 8. No person who has been removed from an office by a removal election, or who has resigned from office while removal proceedings were pending against him, shall be appointed to any town office within two years after such removal by a removal election or such resignation.

SECTION 9. This act shall be submitted for acceptance to the voters of the town of Dudley at the next annual town meeting or a special town meeting, whichever occurs first, in the form of the following question which shall be placed before such meeting:- "Shall an act passed by the General Court in the year nineteen hundred and eighty, entitled 'An Act providing for removal elections in the town of Dudley', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative this act shall take effect, but not otherwise.

SECTION 10. Section nine of this act shall take effect upon its passage.

Approved June 2, 1980.

Chap. 227. AN ACT EXEMPTING CERTAIN NURSING POSITIONS OF THE CITY OF WORCESTER FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The positions of nursing assistant, senior nursing assistant and principal nursing assistant in the city of Worcester 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 2, 1980.

Chap. 228. AN ACT REGULATING THE WEIGHING OF PREPACKAGED MEAT, POULTRY AND EDIBLE FISH.

Be it enacted, etc., as follows:

Section 56B of chapter 98 of the General Laws, inserted by chapter 19 of the acts of 1967, is hereby amended by adding the following paragraph:-

For the purpose of this section, prepackaged meat, poultry, or edible fish shall not include (a) canned meat, poultry or fish; (b) prepackaged cold cuts or other processed meats; or (c) poultry or fish packaged off the premises and labelled with the net quantity of contents.

Approved June 2, 1980.

Chap. 229. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LAND IN THE TOWN OF SUDBURY 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 in behalf of the commonwealth, is 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 public lands or interests in 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 "Plan of Land Town of Sudbury to be Acquired by the Commonwealth of Massachusetts Department of Public Works by Eminent Domain for Highway Purposes August 1976," which said department is directed to file with the chief engineer of the department, and which lands are to be identified on a department layout plan as follows:

PARCEL NO. 1-6

A certain parcel of land belonging to the Town of Sudbury, and being used by the Town of Sudbury for fire department purposes, which parcel of land adjoins the northerly street line of the Boston Post Road (Route 20) between points thereon opposite stations 142+75 and 144+15 of the April 11, 1901 state highway layout number 561, and bounded and described as follows:

Southerly by the Boston Post Road (Route 20), 136.91 feet;

Westerly by land now or formerly of Bolger, 10.45 feet;

Northerly by land now or formerly of the Town of Sudbury, 136.91 feet; and

Easterly by land now or formerly of said Bolger, 10.42 feet.

Containing about 1,409 square feet of land, more or less.

PARCEL NO. 1-TS-5

A certain parcel of land belonging to the Town of Sudbury, and being used by the Town of Sudbury for fire department purposes, which parcel of land adjoins the northerly boundary line of the above-described parcel and between points of the Boston Post Road (Route 20) opposite stations 142+75 and 144+15 of the April 11, 1901 state highway layout number 561, and bounded and described as follows:

Westerly by land now or formerly of Bolger, 31.55 feet;

Northerly by land now or formerly of the Town of Sudbury, about 135 feet;

Easterly by land now or formerly of Bolger, 14.58 feet; and

Southerly by land now or formerly of the Town of Sudbury, 136.91 feet.

Containing about 3,000 square feet of land, more or less.

PARCEL NO. 1-20

A certain parcel of land belonging to the Town of Sudbury, and being used by the Town of Sudbury for police department purposes, which parcel of land adjoins the southerly street line of the Boston Post Road (Route 20) between points thereon opposite stations 174+26 and 175+65 of the April 17, 1902 state highway layout number 669, and bounded and described as follows:

Northerly by said Boston Post Road (Route 20), 77.23 feet;

Southerly by land now or formerly of the Town of Sudbury, 76.88 feet; and

Westerly by land now or formerly of the Vana Trust, 2.59 feet.

Containing about 99 square feet of land, more or less.

For the purpose of this act, the department of public works is hereby authorized to divert to highway use, the above described lands or portions thereof being used for public purposes by the town of Sudbury.

Approved June 2, 1980.

Chap. 230. AN ACT RELATIVE TO THE PAYMENT OF UNEMPLOYMENT COMPENSATION TO PERSONS WHO ARE INCAPACITATED BY REASON OF MENTAL ILLNESS.

Be it enacted, etc., as follows:

Section 68 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 4, the word:- "weakness" and inserting in place thereof the word:- illness.

Approved June 2, 1980.

Chap. 231. AN ACT RELATIVE TO THE DISTRICTS FOR ADMINISTRATION OF CRIMINAL LAW AND DEFENSE OF CIVIL ACTIONS IN FRANKLIN COUNTY AND WORCESTER DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 13, as most recently amended by section 4 of chapter 512 of the acts of 1978, and inserting in place thereof the following section:-

Section 13. For the administration of the criminal law, or for the defense of civil actions brought pursuant to chapter two hundred and fifty-eight, 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, excluding the town of Athol, the middle district; Berkshire county, the Berkshire district; Hampden county, the Hampden district; and Franklin county, including the town of Athol, and Hampshire county, the northwestern district.

SECTION 2. For the purpose of electing a district attorney and administering election laws relating thereto, the town of Athol shall be considered to be within the jurisdiction of Franklin county for the state election in the year nineteen hundred and eighty-two and every election thereafter.

Approved June 2, 1980.

Chap. 232. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO CONVEY A CERTAIN PARCEL OF LAND.

Be it enacted, etc., as follows:

The town of Weymouth is hereby authorized to convey or lease to the Massachusetts Electric Company, a certain parcel of land, together with structures thereon, which said town acquired by eminent domain for conservation purposes on September fifth, nineteen hundred and seventy-three, said parcel of land is described as Parcel F in the Order of Taking dated September

fifth, nineteen hundred and seventy-three, and recorded on September sixth, nineteen hundred and seventy-three in the registry of deeds in the county of Norfolk in Book 4979, Page 5.

Approved June 2, 1980.

Chap. 233. AN ACT AUTHORIZING THE TRAFFIC COMMISSION OF THE CITY OF MALDEN TO PROMULGATE RULES AND REGULATIONS RELATIVE TO THE PARKING OF VEHICLES IN RESIDENTIAL AREAS OF SAID CITY.

Be it enacted, etc., as follows:

Section 3 of chapter 67 of the acts of 1947, as amended by section 1 of chapter 111 of the acts of 1952, is hereby further amended by inserting after the first sentence the following sentence:- Any rule or regulation adopted under this section, prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads, or parkways under the control of the city, may provide that it shall not apply in such residential areas as shall be specified, and at such times as shall be prescribed, in such rule or regulation, to any motor vehicle registered under chapter ninety of the General Laws as principally garaged in the city and owned or used by a person residing in such area who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe, and filed with the chief of police, notice of intention to park in such area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

Approved June 2, 1980.

Chap. 234. AN ACT AUTHORIZING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE 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 eighty-one the sums set forth in this act for the care, main-

tenance 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	$3,165,099 37
2.	For contractual services	175,000 00
3.	For supplies and materials	570,000 00
4.	For current charges and obligations	492,726 91
5.	For equipment	56,870 00
8.	For debt and interest	134,600 00
10.	For unpaid bills of previous years	196,118 20
11.	For reserve fund	50,000 00
12.	For group insurance	250,000 00
	For total expenditures	$5,090,414 48

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved June 2, 1980.

Chap. 235. AN ACT CHANGING THE NAME OF THE NORTH SEWER DISTRICT OF THE TOWN OF HINGHAM TO THE HINGHAM SEWER DISTRICT.

Be it enacted, etc., as follows:

Chapter 591 of the acts of 1945 is hereby amended by inserting after section 9 the following section:-

Section 9A. Whenever used in any general or special act the north sewer district of the town of Hingham shall be known as the Hingham sewer district.

Approved June 2, 1980.

Chap. 236. AN ACT RELATING TO THE REFUNDING OF CERTAIN BOND ANTICIPATION NOTES BY THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen A of chapter forty-four of the General Laws to the contrary, the treasurer of the city of Cambridge, with the approval of the city manager, is hereby authorized to issue bond anticipation notes of the city from time to time, in the total principal amount of six hundred and fifty thousand dollars, payable in not more than three years from the dates of the original notes being refunded, in order to pay the bond anticipation notes of the city originally dated June second, nineteen hundred and seventy-

eight. Notes issued under this act payable in less than three years from the dates of the original notes being refunded 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 refunded under this act to the maturity of any note issued to renew or pay the same debt shall not exceed three years. A temporary loan refunded under this act may be converted into a serial loan of like amount and the first annual payment of principal of the loan shall be made not later than one year from the date of the bonds or notes issued for the serial loan.

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

Approved June 2, 1980.

Chap. 237. AN ACT PROVIDING FOR THE APPOINTMENT OF A MESSENGER AT THE HAMPSHIRE DIVISION OF THE PROBATE AND FAMILY COURT DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 31, as most recently amended by section 156 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 31. The justices of the respective divisions of the probate and family court department may appoint the following number of messengers for their respective divisions:

Middlesex, three messengers
Essex, one messenger
Suffolk, one messenger
Hampden, five messengers
Norfolk, three messengers
Bristol, two messengers
Hampshire, one messenger

Said justices may remove said messengers at their pleasure, and may fill vacancies caused by removal or otherwise. Said messengers shall wait upon the court and perform such duties as the judges may direct, including duty as court officers. They shall, while in attendance on the court, wear uniforms, such as the administrative justice shall order, to be furnished at the expense of the commonwealth.

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

Approved June 3, 1980.

Chap. 238. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL ASSISTANT REGISTER OF THE HAMPSHIRE DIVISION OF THE PROBATE AND FAMILY COURT DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 23A, inserted by section 148 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 23A. In addition to the first assistant registers of probate provided for in section twenty-three, the judges of the respective divisions of the probate and family court department for the following counties may appoint assistant registers with the same powers and duties. Said appointments shall be as follows:

Barnstable, one assistant register
Berkshire, one assistant register
Bristol, three assistant registers
Essex, three assistant registers
Hampden, three assistant registers
Hampshire, one assistant register
Middlesex, five assistant registers
Norfolk, five assistant registers
Plymouth, three assistant registers
Suffolk, five assistant registers
Worcester, four assistant registers.

SECTION 2. The register of probate of the Hampshire division shall post the position of assistant register of probate of the Hampshire division in each division of the probate and family court department prior to the appointment of a person to said position.

Approved June 3, 1980.

Chap. 239. AN ACT ALLOWING DAN G. MOLLOY, A LEGALLY BLIND PERSON, TO BE REGISTERED AS A FUNERAL DIRECTOR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately grant a certificate to allow Dan G. Molloy, a legally blind person, the opportunity to be registered as a funeral director, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law or any rule or

regulation of the board of registration in embalming and funeral directing, said board shall grant a certificate of registration as a funeral director to Dan G. Molloy of the town of Milton, a legally blind person presently an apprentice registered by said board; provided, that said Dan G. Molloy can perform the duties and fulfill the responsibilities of a funeral director and embalmer commensurate with the handicap of a legally blind person.

(The foregoing was laid before the Governor on the 22nd day of May, 1980 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. 240. AN ACT FURTHER REGULATING THE LAW CONCERNING INFORMED CONSENT PRIOR TO ABORTION.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 12S, as appearing in chapter 397 of the acts of 1977, and inserting in place thereof the following section:-

Section 12S. No physician may perform an abortion upon a pregnant woman without first obtaining her written informed consent. The commissioner of public health shall prescribe a form for physicians to use in obtaining such consent. This form shall be written in a manner designed to permit a person unfamiliar with medical terminology to understand its purpose and content, and shall include the following information: a description of the stage of development of the unborn child; the type of procedure which the physician intends to use to perform the abortion; and the possible complications associated with the use of the procedure and with the performance of the abortion itself; the availability of alternatives to abortion; and a statement that, under the law of the commonwealth, a person's refusal to undergo an abortion does not constitute grounds for the denial of public assistance. A pregnant woman seeking an abortion shall sign the consent form described above at least twenty-four hours in advance of the time for which the abortion is scheduled, except in an emergency requiring immediate action. She shall then return it to the physician performing the abortion who shall maintain it in his files and destroy it seven years after the date upon which the abortion is performed.

The said consent form and any other forms, transcript of evidence, or written findings and conclusions of a court, shall

be confidential and may not be released to any person except by the pregnant woman's written informed consent or by a proper judicial order, other than to the pregnant woman herself, to whom such documents relate, the operating physician, or any person whose consent is required pursuant to this section, or under the law. If a pregnant woman is less than eighteen years of age and has not married, a physician shall not perform an abortion upon her unless he first obtains both the consent of the pregnant woman and that of her parents, except as hereinafter provided. In deciding whether to grant such consent, a pregnant woman's parents shall consider only their child's best interests. If one of the pregnant woman's parents has died or is unavailable to the physician within a reasonable time and in a reasonable manner, consent of the remaining parent shall be sufficient. If both parents have died or are otherwise unavailable to the physician within a reasonable time and in a reasonable manner, consent of the pregnant woman's guardian or guardians shall be sufficient. If the pregnant woman's parents are divorced, consent of the parent having custody shall be sufficient. If a pregnant woman less than eighteen years of age has not married and if one or both of her parents or guardians refuse to consent to the performance of an abortion, or if she elects not to seek the consent of one or both of her parents or guardians, a judge of the superior court department of the trial court shall, upon petition, or motion, and after an appropriate hearing, authorize a physician to perform the abortion if said judge determines that the pregnant woman is mature and capable of giving informed consent to the proposed abortion or, if said judge determines that she is not mature, that the performance of an abortion upon her would be in her best interests. A pregnant woman less than eighteen years of age may participate in proceedings in the superior court department of the trial court on her own behalf, and the court may appoint a guardian ad litem for her. The court shall, however, advise her that she has a right to court appointed counsel, and shall, upon her request, provide her with such counsel. Proceedings in the superior court department of the trial court under this section shall be confidential and shall be given such precedence over other pending matters that the court may reach a decision promptly and without delay so as to serve the best interests of the pregnant woman. A judge of the superior court department of the trial court who conducts proceedings under this section shall make in writing specific factual findings and legal conclusions supporting his decision and shall order a record of the evidence to be maintained including his own findings and conclusions.

Nothing in this section is intended to abolish or limit any common law rights of persons other than those whose rights it

governs for the purpose of any civil action or any action for injunctive relief under section twelve U.

Approved June 5, 1980.

Chap. 241. AN ACT INCREASING THE PENALTIES FOR THE USE OF THE DRUG PHENCYCLIDINE, COMMONLY KNOWN AS PCB OR ANGEL DUST.

Be it enacted, etc., as follows:

SECTION 1. Subsection (b) of Class B 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:-

(22) Phencyclidine.

SECTION 2. Subsection (a) of Class C of said section 31 of said chapter 94C, as so appearing, is hereby amended by striking out clause (6).

Approved June 5, 1980.

EMERGENCY LETTER - July 21, 1980 @ 11:25 A.M.

Chap. 242. AN ACT RELATIVE TO THE CONSTRUCTION OF A SEWERAGE PUMPING STATION AND SEWER LINES IN THE TOWN OF NAHANT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 62 of the acts of 1980 is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. This act shall take effect upon its acceptance by a two-thirds vote of an annual or special town meeting of said town.

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

Approved June 6, 1980.

Chap. 243. AN ACT AUTHORIZING MUNICIPAL LIGHT COMMISSIONS AND THE MASSACHUSETTS MUNICIPAL WHOLESALE ELECTRIC COMPANY TO PURCHASE OIL AND OTHER FUEL SUPPLIES WITHOUT BIDS.

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

SECTION 1. The provisions of section fifty-six D of chapter one hundred and sixty-four of the General Laws shall not apply to the purchase of oil or other fuel supplies by a municipal light commission or manager thereof, provided that such purchase has obtained the prior written approval of the auditor, treasurer and mayor, in the case of a city, or the board of selectmen in the case of a town.

SECTION 2. The provisions of the first paragraph of subsection (f) of section nineteen of chapter seven hundred and seventy-five of the acts of nineteen hundred and seventy-five shall not apply to the purchase of oil or other fuel supplies.

SECTION 3. This act shall cease to be operative on July first, nineteen hundred and eighty-three.

Approved June 6, 1980.

Chap. 244. AN ACT DESIGNATING THE BRIDGE ON CUDWORTH ROAD OVER STATE HIGHWAY ROUTE 52 IN THE TOWN OF WEBSTER AS THE JOHN P. IVASCYN BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge on Cudworth road over state highway route 52 in the town of Webster shall be designated and known as the John P. Ivascyn bridge, in memory of John P. Ivascyn, a former member of the House of Representatives from the years nineteen hundred and fifty-three to nineteen hundred and seventy-two, inclusive. The department of public works shall erect a suitable marker at said designation in compliance with the standards of said department.

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

Approved June 6, 1980.

Chap. 245. AN ACT RELATIVE TO THE FILING OF ARTICLES OF CONSOLIDATION OR MERGER OF CERTAIN BUSINESS CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 78 of chapter 156B of the General Laws is hereby amended by striking out subsection (e), as most recently amended by section 3 of chapter 350 of the acts of 1974, and inserting in place thereof the following subsection:-

(e) The resulting or surviving corporation shall file a copy of the articles of consolidation or merger certified by the state secretary in the registry of deeds in each district within the

commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued pursuant to section eighty-four, except that no filing need be made with respect to real property of a constituent corporation which is the surviving corporation of a merger.

SECTION 2. Section 79 of said chapter 156B is hereby amended by striking out subsection (d), as most recently amended by section 4 of said chapter 350, and inserting in place thereof the following subsection:-

(d) The resulting or surviving corporation shall file a copy of the articles of consolidation or merger certified by the state secretary in the registry of deeds in each district within the commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued pursuant to section eighty-four, except that no filing need be made with respect to real property of a constituent corporation which is the surviving corporation of a merger.

Approved June 6, 1980.

Chap. 246. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO LEASE TO THE TOWN OF NEW SALEM A CERTAIN PARCEL OF LAND IN SAID TOWN FOR THE PURPOSE OF ESTABLISHING A CLEAN SANITARY LANDFILL FACILITY.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the metropolitan district commission is hereby authorized to lease to the town of New Salem for the purpose of establishing a new clean landfill facility a certain parcel of land containing seven and one-half acres more or less on the southerly side of Moosehorn road in said town. Said parcel of land being bounded and described as follows: Commencing at a point on Moosehorn road thence running north 1° 37' 57" east 360 feet; Thence turning south 1° 37' 57" west 660 feet; Thence running along said Moosehorn road 700 feet to a point, and said parcel containing seven and one-half acres more or less.

Prior to the approval of said lease, the secretary of environmental affairs shall conduct an environmental impact review to determine the suitability of said site for a clean landfill. Based upon the environmental impact review, said secretary shall either approve or disapprove the proposed site. If the secretary approves, the land may be leased to said town.

Approved June 6, 1980.

Chap. 247. AN ACT PROVIDING THAT RICHARD R. ROCCO SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A POLICE OFFICER IN THE CITY OF NEWBURYPORT.

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, Richard R. Rocco, shall be eligible to take the next open competitive examination for police officer in the city of Newburyport and provided that he meets all other requirements, shall be eligible for certification and appointment as a police officer in said city.

Approved June 6, 1980.

Chap. 248. AN ACT INCREASING THE AGGREGATE LIMIT ON CERTAIN LOANS MADE BY SAVINGS BANKS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by striking out section 37, as most recently amended by chapter 88 of the acts of 1978, 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 fifteen thousand dollars exclusive of interest or discount. The aggregate balance of such loans made or acquired by any such corporation, at any time outstanding, shall not exceed

twenty 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.

SECTION 2. Section 41 of said chapter 168 is hereby amended by striking out paragraph 3, as most recently amended by section 3 of chapter 229 of the acts of 1976, and inserting in place thereof the following paragraph:-

3. Aggregate Investment Limit - Not more than thirty per cent of the deposits of any such corporation shall be invested at any one time in loans made or acquired under the provisions of section thirty-seven, thirty-seven B, thirty-seven C, and paragraphs 1 to 5, inclusive, of section thirty-eight and thirty-nine.

SECTION 3. Subsection 8 of section 26 of chapter 170 of the General Laws is hereby amended by striking out the fourth and fifth sentences, inserted by chapter 287 of the acts of 1979, and inserting in place thereof the following two sentences:- The total obligation of any one person to any such corporation outstanding at any one time in this class of investment shall not exceed fifteen thousand dollars exclusive of interest or discount. The aggregate balance of such loans made by any such corporation at any time outstanding shall not exceed twenty per cent of its deposits.

Approved June 6, 1980.

Chap. 249. AN ACT RELATIVE TO TAXATION IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, assessors in the city of Malden are hereby authorized to deduct from the amount required to be assessed under section twenty-three of chapter fifty-nine of the General Laws an additional one million eight hundred and sixty-seven thousand dollars in the computation of the tax rate for the fiscal year ending June thirtieth, nineteen hundred and eighty-one and an additional nine hundred and thirty-three thousand dollars in the computation of the tax rate for the fiscal year ending June thirtieth, nineteen hundred and eighty-two.

Approved June 6, 1980.

Chap. 250. AN ACT FURTHER REGULATING CREDIT UNIONS.

Be it enacted, etc., as follows:

Paragraph 7 of subsection (a) of subdivision (B) of section 24 of chapter 171 of the General Laws, added by chapter 23 of the acts of 1977, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:- 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 fifteen thousand dollars, whichever is the lesser. Such loan shall be repaid within a period of not more than fifteen years from the date of the note.

Approved June 6, 1980.

Chap. 251. AN ACT PROVIDING FOR THE INSTALLATION OF WATER SERVICE IN CERTAIN EASEMENTS.

Be it enacted, etc., as follows:

Chapter 187 of the General Laws is hereby amended by striking out section 5, as amended by chapter 610 of the acts of 1975, and inserting in place thereof the following section:-

Section 5. The owner or owners of real estate abutting on a private way who have by deed existing rights of ingress and egress upon such way or other private ways shall have the right by implication to place, install or construct in, on, along, under and upon said private way or other private ways pipes, conduits, manholes and other appurtenances necessary for the transmission of gas, electricity, telephone and water service, provided such facilities do not unreasonably obstruct said private way or other private ways, and provided that such use of the private way or other private ways does not interfere with or be inconsistent with the existing use by others of such way or other private ways; and, provided further, that such placement, installation, or construction is done in accordance with regulations, plans and practices of the utility company which is to provide the gas, electricity, or telephone service, and the appropriate cities, towns, districts, or water companies which provide the water service. Said agencies, which provide such service, shall comply with the rules and regulations of the division of water supply and the department of public utilities. Any such owner or owners may grant permission to a public utility company or water company to enter upon said way or other private ways to place, install, repair, or relocate pipes, conduits, manholes, and other necessary appurtenances for the transmission of gas, electricity, telephone or water service in accordance with such company or companies regulations, prac-

tices and tariffs filed with the department of public utilities or the division of water supply; provided, however, that no charge or added assessment shall be levied by such public utility company or companies against any such owner or owners not coning or repairing public utility facilities, nor such facilities, nor the gas, electricity, telephone or water service transmitted shall be deemed to constitute a trespass upon said way or ways.

Approved June 6, 1980.

Chap. 252. AN ACT DIRECTING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO TRANSFER CARE, CUSTODY AND CONTROL OF A CERTAIN PARCEL OF PUBLIC LANDS IN THE TOWN OF CHARLEMONT 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 to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the department of environmental management is hereby authorized and directed to transfer to the department of public works the care, custody and control of certain lands, or such portions thereof as the department of public works may determine, and the said department of public works is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works--Public Lands Needed for Highway Purposes, August 1979", which said department is hereby directed to file in the office of the chief engineer of the said department. Said lands to be so transferred are identified as follows:-

Parcel 2-TR-1

A parcel of land in the Town of Charlemont, County of Franklin, supposed to be owned by the Commonwealth of Massachusetts and under the care, custody and control of the department of environmental management, bounded and described as follows:-

Southerly, by a November 5, 1930 state highway location about 145 feet;

Northwesterly, by the town layout of "Old Route 2", 259 feet;

Northeasterly, by land now or formerly of the Boston and Maine Railroad, 66 feet; and

Southeasterly, by other land of said Commonwealth of Massachusetts (department of environmental management), 154 feet;

Containing about 12,360 square feet of land, more or less.

Parcel 2-TS-1

A parcel of land in the Town of Charlemont, County of Franklin, supposed to be owned by the Commonwealth of Massachusetts and under the care, custody and control of the department of environmental management, bounded and described as follows:-

Southerly, by the November 5, 1930 state highway layout, 238 feet;

Northwesterly by other land of the said Commonwealth of Massachusetts (department of environmental management), 66 feet;

Northerly, by other land of said Commonwealth of Massachusetts (department of environmental management), 130 feet; and

Northeasterly, by land now or formerly of the Boston and Maine Railroad, 65 feet.

Containing about 5,999 square feet of land, more or less.

Said lands are to be diverted by the department of public works from their present public use to the relocation of state highway route 2 in the town of Charlemont, under department's layout number 6437, more particularly for the construction of a bridge number C-5-24 over the Boston and Maine Railroad trackage.

Approved June 6, 1980.

Chap. 253. AN ACT PROVIDING THAT CERTAIN SERVICE BY ERNEST LIJOI, AN EMPLOYEE OF THE CITY OF QUINCY, SHALL BE DEEMED TO BE CREDITABLE SERVICE FOR RETIREMENT PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule or regulation to the contrary, Ernest Lijoi, an employee of the city of Quincy and a member in service of the retirement system of said city, shall be given full credit for retirement purposes for his prior service as a member of the Massachusetts Bay Transportation Authority police upon payment into the annuity fund of said retirement system of an amount equal to that which would have been withheld as regular deductions from his regular compensation had he been eligible for membership and been a member of such system during such prior service, together with regular interest to the date of payment.

Approved June 6, 1980.

Chap. 254. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF BERKSHIRE 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 ending June thirtieth, nineteen hundred and eighty-one.

BERKSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$65,552 00
2.	For reduction of county debt.....		100,000 00
3.	For county commissioners, salaries and expenses.....		85,719 18
	1. Personal services	$73,815 18	
	2. Contractual services	9,389 00	
	3. Supplies and materials	1,325 00	
	4. Current charges and obligations	1,095 00	
	5. Equipment	95 00	
4.	For transportation and expenses of county and acting commissioners.....		1,000 00
6.	For county treasurer, salaries and expenses		72,802 04
	1. Personal services	63,286 04	
	2. Contractual services	7,000 00	
	3. Supplies and materials	1,600 00	
	4. Current charges and obligations	816 00	
	5. Equipment	100 00	
7.	For sheriff, salary and expenses.....		24,213 48
	1. Personal services	22,263 48	
	2. Contractual services	1,600 00	
	3. Supplies and materials	250 00	
	4. Current charges and obligations	100 00	
8.	For registry of deeds, salaries and expenses Northern District.....		87,261 94
	1. Personal services	77,286 94	
	2. Contractual services	5,800 00	
	3. Supplies and materials	2,900 00	
	4. Current charges and obligations	1,275 00	
	Middle District.....		127,596 93
	1. Personal services	103,452 93	
	2. Contractual services	13,030 00	
	3. Supplies and materials	5,000 00	

Item		Subtotal	Total
	4. Current charges and obligations	$250 00	
	5. Equipment	5,864 00	
	Southern District.....		$51,737 84
	1. Personal services	41,549 06	
	2. Contractual services	7,450 00	
	3. Supplies and materials	1,700 00	
	4. Current charges and obligations	57 00	
	5. Equipment	981 78	
10.	For highways, including state highways, bridges and land damages.....		166,797 50
	1. Personal services	145,822 50	
	2. Contractual services	11,650 00	
	3. Supplies and materials	6,175 00	
	4. Current charges and obligations	3,150 00	
15.	For medical examiners and commitments of insane.....		60,000 00
16.	For jail and house of correction, maintenance and operation.....		900,268 80
	1. Personal services	645,360 30	
	2. Contractual services	63,975 00	
	3. Supplies and materials	157,050 00	
	4. Current charges and obligations	4,775 00	
	5. Equipment	2,608 50	
	6. All other	26,500 00	
18.	For court houses and registry buildings, maintenance and operation.....		203,853 76
	1. Personal services	82,428 76	
	2. Contractual services	106,250 00	
	3. Supplies and materials	10,800 00	
	4. Current charges and obligations	375 00	
	5. Equipment	2,000 00	
	6. All other	2,000 00	
20.	For agricultural school or county cooperative extension service.....		184,528 80
	1. Personal services	148,307 80	
	2. Contractual services	19,775 00	
	3. Supplies and materials	6,750 00	
	4. Current charges and obligations	7,970 00	
	5. Equipment	1,726 00	

Item		Subtotal	Total
23a.	For mental health program or tuberculosis clinic		$91,333 59
23c.	For Berkshire mental health association		7,000 00
23d.	For northern Berkshire mental health association		5,000 00
24.	For noncontributory pensions		16,500 00
25.	For contributory retirement system and supervisory expenses		157,503 00
26.	For miscellaneous and contingent expenses		135,900 00
27.	For unpaid bills of previous years		20,000 00
28.	For reserve fund		75,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		75,000 00
31.	For radio system for fire protection		27,302 86
31a.	For radio system for police protection		15,346 68
32.	For forest development		4,487 04
33.	For police training		2,000 00
33a.	For emergency medical training		5,000 00
35.	For development commission		77,819 13
36.	For Dutch elm disease		5,000 00
37.	For human services		93,600 00
39.	For group insurance		95,000 00
45.	For community action council		20,000 00
46.	For Northern Berkshire association for retarded citizens		2,000 00
47.	For county consumer advocates		5,000 00
48.	For Berkshire county housing authority		7,500 00
	Total amount of appropriations		$3,074,624 57
	Less estimated amount available for reduction of county tax		207,475 00
	And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$2,867,149 57

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		
2.	For reduction of county debt	$140,000 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved June 6, 1980.

Chap. 255. AN ACT RELATIVE TO APPLICATIONS FOR FIRE INSURANCE ON CERTAIN BUILDINGS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 98, as most recently amended by chapter 59 of the acts of 1980, and inserting in place thereof the following section:-

Section 98. Every applicant for insurance against loss or damage to a building by fire shall complete a form prescribed by the commissioner. The application form may vary according to the type of coverage sought. It shall require from the applicant sufficient information relative to the insured property to determine the actual cash value and the actual ownership of the property. The application shall, insofar as it materially relates to the obligations stated in the contract, be considered a part of the contract.

The by-laws of the company shall not be considered as a warranty or a part of the contract except so far as they are incorporated in full in the policy as provided in clause Ninth of section ninety-nine.

This section shall not apply to owner occupied dwellings of four units or less, to buildings owned and insured by the commonwealth or its political subdivisions, to highly protected risks, to non-income producing seasonal dwellings, or to builders risk policies.

For the purpose of this section the words "highly protected risk" shall mean a fire resistive building which meets the highest standards of fire safety according to insurance company underwriting requirements, and "builders risk policies" shall mean policies which insure against loss to buildings in the course of construction.

Nothing in this section shall prohibit the issuance of a written memorandum of a preliminary contract of insurance, for a period no longer than thirty days, pending the approval of the application form, for the issuance of such a policy.

Approved June 6, 1980.

Chap. 256. AN ACT EXEMPTING THE BOARD OF BAR EXAMINERS FROM THE PROVISIONS OF THE FINANCIAL DISCLOSURE LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately exempt the board of bar examiners from filing statements of financial interest, therefore 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 35 of chapter 221 of the General Laws is hereby amended by adding the following paragraph:-

The supreme judicial court shall require the members of the board of bar examiners to file statements of financial interest. Such statements so filed shall be confidential.

SECTION 2. Clause (o) of section 1 of chapter 268B of the General Laws, as appearing in section 20 of chapter 210 of the acts of 1978, is hereby amended by inserting after the word "chapter", in line 7, the words:- ; provided, however, that the members of the board of bar examiners shall not be considered public employees for the purposes of this chapter.

Approved June 10, 1980.

Chap. 257. AN ACT RELATIVE TO THE APPROPRIATION AND EXTENSION OF TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO CERTAIN STATE AND COUNTY BUILDINGS SHALL MAKE ITS FINAL REPORT.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 145 of the acts of 1980 is hereby amended by inserting before the caption EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE the following:-

THE DEPARTMENT OF THE ATTORNEY GENERAL

0810-0041 For the expenses of an investigation and study by a special commission relative to corruption involved in certain state and county building contracts, as authorized by chapter five of the resolves of nineteen hundred and seventy-eight, and amended by chapter eleven of the resolves of nineteen hundred and seventy-nine, as amended, appropriation expires December thirty-first, nineteen hundred and eighty..... $484,663

SECTION 2. The fourteenth paragraph of chapter 5 of the resolves of 1978, as appearing in chapter 11 of the resolves of 1979, is hereby amended by striking out, in line 8, the words "June thirtieth, nineteen hundred and eighty" and inserting in place thereof the words:- December thirty-first, nineteen hundred and eighty.

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

Approved June 10, 1980.

Chap. 258. AN ACT DECREASING THE NUMBER OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter one hundred and thirty-eight of the General Laws to the contrary, the licensing commission of the city of Somerville may grant not more than seventy-five licenses for the sale of all alcoholic beverages to be drunk on the premises as provided in section twelve of said chapter one hundred and thirty-eight; provided, that no further original licenses under said chapter one hundred and thirty-eight shall be granted until the number of licenses outstanding thereunder shall have been reduced to less than seventy-five by cancellation, revocation or the failure of holders of such licenses to apply for renewals and thereafter licenses thereunder may be granted only up to a total not exceeding seventy-five. Said commission may grant not more than twenty licenses for the sale of all alcoholic beverages to be drunk off the premises as provided in section fifteen of said chapter one hundred and thirty-eight. The number of licenses for the sale of wines and malts under said section twelve shall not exceed one. The number of licenses for the sale of wines and malts under said section fifteen shall not exceed nine. The transfer of existing licenses or the transfer of stock in a corporation which holds a license shall be subject to a public hearing and notice of such hearing shall be advertised as provided in said chapter one hundred and thirty-eight and held at an appropriate time to afford interested citizens an opportunity to be present.

Approved June 7, 1980.

Chap. 259. AN ACT AUTHORIZING THE CITY OF LOWELL TO BORROW MONEY FOR THE PURPOSE OF IMPLEMENTING ONE HUNDRED PER CENT VALUATION.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell is hereby authorized, for the purpose of implementing one hundred per cent valuation, to appropriate and expend an amount not to exceed one million two hundred thousand dollars. Any sums received from the federal government or the commonwealth for such purpose shall be included in and considered a part of the total amount authorized to be expended hereunder.

SECTION 2. For the purpose authorized in section one, the treasurer of the city of Lowell, with the approval of the city council, may borrow upon the credit of the city such sums as may be necessary, not exceeding, in the aggregate, one million two hundred thousand dollars, and may issue bonds or notes of the city therefor, which shall bear on their face the words, City

of Lowell Revaluation Loan, Act of 1980. The indebtedness incurred under the provisions of this act shall be deemed to be outside the debt limit as defined in section ten of chapter forty-four of the General Laws. Each authorized issue shall be payable in not more than ten years from their dates. The bonds or notes shall be signed by the city treasurer and a majority of the city council. The city may sell such securities at public or private sale, upon such terms and conditions as the city council may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter forty of the General Laws.

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

Approved June 9, 1980.

Chap. 260. AN ACT PROHIBITING INSURANCE COMPANIES FROM REDUCING CERTAIN PERSONAL INJURY PROTECTION BENEFITS.

Be it enacted, etc., as follows:

The fifth paragraph of section 34M of chapter 90 of the General Laws, as appearing in section 4 of chapter 670 of the acts of 1970, is hereby amended by inserting after the word "section", in line 5, the following words:- ; provided, however, that no insurer shall reduce or limit the amount of liability insurance otherwise available to an injured person as a result of such subrogation.

Approved June 9, 1980.

Chap. 261. 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 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. Section 1G of chapter 15 of the General Laws is hereby amended by striking out the thirteenth paragraph, inserted by section 1 of chapter 871 of the acts of 1970, and inserting in place thereof the following paragraph:-

The board shall establish minimum nutritional standards and regulations for all school food services and shall require all public schools operating on a "one session day" to make lunches

available to children. The board shall further require all public schools which draw their attendance from areas with a high number of needy children, as defined by the bureau of nutrition education and school food services in the department, to make school breakfast programs available to children; provided, however, that notwithstanding the provisions of this paragraph or any rule or regulation of any agency of the commonwealth to the contrary, a school committee may vote not to participate in the school breakfast program.

SECTION 1A. The last paragraph of clause (14) of section 27 of chapter 21 of the General Laws, as appearing in section 2 of chapter 705 of the acts of 1979, is hereby amended by striking out, in line 5, the word "of", the second time it appears, and inserting in place thereof the word:- or.

SECTION 1B. Chapter 23 of the General Laws is hereby amended by striking out section 11P, as appearing in section 1 of chapter 483 of the acts of 1978, and inserting in place thereof the following section:-

Section 11P. As used in sections eleven Q to eleven S, inclusive, the following words shall have the following meanings:-

"Displaced homemaker", an individual who has worked in the home for a substantial number of years providing unpaid household services for family members; has had, or would have, difficulty in securing employment; has been dependent on the income of another family member but is no longer supported by such income, has been dependent on government assistance but is no longer eligible for such aid, or is supported as the parent of minor children by government assistance or spousal child support payments but whose children are within two years of reaching their majority; and is not gainfully employed or is underemployed.

"Secretary", the secretary of the executive office of manpower affairs.

SECTION 1C. Section 4 of chapter 40 of the General Laws is hereby amended by striking out the paragraph added by section 4 of chapter 758 of the acts of 1969.

SECTION 1D. Said section 4 of said chapter 40 is hereby further amended by adding the following paragraph:-

This section, so far as apt, shall apply to districts.

SECTION 2. Section 56 of said chapter 40, added by section 1 of chapter 797 of the acts of 1979, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The board of assessors with the approval of the selectmen in each town and the mayor, with the approval of the city council of each city, which city or town has been certified by the commissioner of revenue to be assessing property at full and fair cash valuation, shall biennially on or

before May first determine the percentages of the local tax levy to be borne by each class of real property, as defined in section two A of chapter fifty-nine, and personal property for the next two fiscal years.

SECTION 3. The second paragraph of section 30B of chapter 41 of the General Laws, as appearing in section 2 of said chapter 797, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Subject to the rules and regulations established by the commissioner of revenue pursuant to section one of chapter fifty-eight, the agreement shall provide for qualifications, terms and conditions of employment for the assessor and employees of his office.

SECTION 4. The second paragraph of section 1A of chapter 58 of the General Laws, as appearing in section 3 of said chapter 797, is hereby amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- He shall determine whether or not the locally assessed values represent the full and fair cash valuation for each class of real property, as defined in section two A of chapter fifty-nine, and personal property not exempt from local taxation within each city and town. In each city and town which he has determined to be assessing at full and fair cash valuation, he shall determine a minimum residential factor for each city and town which shall be sixty-five per cent subject to such adjustment upward as may be required to provide that the percentage of the total tax levy imposed on any class of real or personal property shall not exceed one hundred and fifty per cent of the full and fair cash valuation of the taxable property in said class divided by the full and fair cash valuation of all taxable real and personal property in the city or town.

SECTION 5. The first paragraph of section 4 of said chapter 58, as appearing in section 5 of said chapter 797, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- On failure by the assessors, or any of them, to comply with such directions of the commissioner, for any reason, he shall forthwith notify the mayor or the selectmen, in writing, of said failure and of any requirements which he deems necessary or expedient to insure proper performance, valuation and classification of property for taxation according to law. Such notice shall contain a statement that failure of the town to comply with such requirements will result in court action.

SECTION 6. Said section 4 of said chapter 58, as so appearing, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

At the request of local assessors, he shall contract on behalf

of the city or town for engineering, professional or technical services for the installation of such record keeping system, the production and installation of tax maps, the appraisal or reappraisal of property, or such other action as is required for the town to meet the minimum standards prescribed.

SECTION 6A. Section 4A of said chapter 58, as so appearing, is hereby amended by striking out clause (a) and inserting in place thereof the following clause:-

(a) the commissioner may contract on behalf of the city or town to provide engineering, professional or technical services for the installation of such record keeping systems, the production and installation of tax maps, the appraisal or reappraisal of property, or such other action as he has required for the town to meet the minimum standards prescribed, or.

SECTION 7. Said chapter 58 is hereby further amended by striking out section 4C, as so appearing, and inserting in place thereof the following section:-

Section 4C. Whenever the commissioner provides any service under the provisions of section four, four A or four B, the costs of such services shall be incurred by the commonwealth; and payment therefor shall be deducted by the state treasurer under the provisions of section twenty A of chapter fifty-eight from any amount distributable or payable by the commonwealth to such city or town.

Whenever, in the opinion of the commissioner, it is necessary for an assessor to attend any training program under the provisions of section three, the registration fees, costs of study material and necessary travel expense shall be paid by the city, town or district of such assessor.

SECTION 8. The first paragraph of section 14 of chapter 58A of the General Laws, as appearing in section 10 of said chapter 797, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) by computing an equalized tax rate by dividing the total taxes as assessed for that city or town for the year for which the finding was made by the fair cash value of the city or town, which shall in no event be higher than the equalized value as finally reported to the general court pursuant to section ten C of chapter fifty-eight for that city or town in the year next preceding the year for which the finding was made.

SECTION 9. Said section 14 of said chapter 58A is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:-

In such cases within a city or town that has been certified for classification by the commissioner under the provision of section fifty-six of chapter forty and has implemented such classification

system the measure of damages shall be computed on the basis of the tax rate of the class in which the property has been assessed or should have been assessed, as the case may be.

SECTION 10. Subsection (a) of section 2A of chapter 59 of the General Laws, as appearing in section 11 of said chapter 797, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Mortgages upon buildings or other things, which with the land upon which they are erected or to which they are affixed are taxable as real estate defined herein, shall be deemed mortgages of real estate for the purpose of taxation, and shall be taxed under sections eleven to twelve B, inclusive.

SECTION 11. Subsection (b) of said section 2A of said chapter 59, as so appearing, is hereby amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:-

(b) The assessors shall determine the fair cash valuation of such real property according to section thirty-eight; and if the city or town has been certified by the commissioner pursuant to subsection (c) shall classify such real property according to the following uses:-.

SECTION 12. Said section 2A of said chapter 59, as so appearing, is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) Classification of real property shall not be implemented in any city or town until the commissioner has certified in writing to the assessors of such city or town that the assessments on the real property that they propose to make are at full and fair cash valuation as required by section thirty-eight and that a majority of its assessors are qualified to classify its property.

SECTION 13. Section 2B of said chapter 59, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Except as otherwise provided in section three E, real estate owned in fee or otherwise or held in trust for the benefit of the United States, the commonwealth, or a county, city or town, or any instrumentality thereof, if used in connection with a business conducted for profit or leased or occupied for other than public purposes, shall for the privilege of such use, lease or occupancy, be valued, classified, assessed and taxed annually as of January first to the user, lessee or occupant in the same manner and to the same extent as if such user, lessee or occupant were the owner thereof in fee, whether or not there is any agreement by such user, lessee or occupant to pay taxes assessed under this section; provided, however, that whenever under the constitution and laws of the United States the privilege of such use, lease or occupancy of real estate owned by the United

States cannot be taxed as aforesaid, but a leasehold or other interest in such real estate or the ownership of or an interest in buildings and other things erected thereon or affixed thereto, may be taxed, such interest or ownership shall be valued, classified, assessed and taxed to the holder thereof to the extent permitted by such constitution and laws. Except as otherwise provided, a payment purporting to be in lieu of a local tax for a particular year on real estate subject to this section shall be applied in reduction of the tax assessed under this section for such year with respect to such real estate. Notwithstanding any contrary provision of section twelve C, unless there is a different agreement, no tax assessed under this section shall be retained out of rent or recovered under section twelve C.

SECTION 14. Section 12A of said chapter 59, as appearing in section 13 of chapter 797 of the acts of 1979, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- If the holder of such mortgage fails to file in the assessor's office a sworn statement of all his estate liable to taxation under the preceding section, including a statement of the full amount remaining unpaid upon such mortgage and of his interest therein, the amount stated in the mortgage shall be inclusive as to the extent of such interest; but his interest in such real estate shall not be assessed at a greater sum than the fair cash valuation of the land and the structures thereon or affixed thereto; and the amount of a mortgage interest in an estate divided after the creation of such mortgage need not be apportioned upon the several parts of such estate, except as provided in section seventy-eight A.

SECTION 15. Section 78A of said chapter 59, inserted by section 18 of said chapter 797, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Assessors shall send notice of the request for such apportionment and of the time appointed therefor, by mail, to every person interested in said real property whose address is known to them.

SECTION 16. Chapter fifty-nine A of the General Laws is hereby repealed.

SECTION 17. The first sentence of the first paragraph of section 62 of chapter 60 of the General Laws, as most recently amended by section 2 of chapter 503 of the acts of 1979, is hereby further amended by striking out, in line 16, the word "or" and inserting in place thereof the word:- of.

SECTION 18. Section 4 of chapter 61A of the General Laws is hereby amended by striking out the last paragraph, added by section 21 of chapter 797 of the acts of 1979, and inserting in place thereof the following paragraph:-

The rate of tax applicable to such agricultural or horticultural

land shall be the rate determined to be applicable to class three, commercial property under chapter fifty-nine.

SECTION 19. Section 2 of chapter 61B of the General Laws, as appearing in section 1 of chapter 713 of the acts of 1979, is hereby amended by adding the following paragraph:-

The rate of tax applicable to such recreational land shall be the rate determined to be applicable to class three, commercial property under chapter fifty-nine.

SECTION 20. The first paragraph of section 7 of said chapter 61B, as so appearing, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:- Said conveyance tax shall be at the following rate: ten per cent if sold within the first five years of its being first so classified; and, five per cent if sold within the sixth through tenth year of its being first so classified. No conveyance tax shall be imposed under the provisions of this section following the end of the tenth year of its being first so classified.

SECTION 20A. The second paragraph of said section 7 of said chapter 61B, as so appearing, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:- Any classified recreational land which is valued, assessed and taxed under the provisions of this chapter, if changed by the owner thereof to another use within a period of ten years from the date of its classification for recreational use by said owner, shall be subject to the conveyance tax applicable hereunder at the time of such change in use as if there had been an actual conveyance, and the value of such land for the purpose of determining a total sales price shall be fair market value as determined by the board of assessors of the city or town involved for all other property.

SECTION 21. Said chapter 61B is hereby further amended by striking out section 16, as appearing in section 1 of chapter 713 of the acts of 1979, and inserting in place thereof the following section:-

Section 16. In determining the equalization required by section nine of chapter fifty-eight, the commissioner of revenue shall determine the value of such land on the basis of its recreational use.

SECTION 22. Section 6 of chapter 64H of the General Laws is hereby amended by striking out paragraph (gg), inserted by section 11 of chapter 796 of the acts of 1979, and inserting in place thereof the following paragraph:-

(hh) Sales of equipment directly relating to any wood-fueled heating system, which is being utilized as a primary heating system for the purpose of heating a person's principal residence in the commonwealth, and costs more than nine hundred dollars,

and providing such equipment had been approved by the state fire marshal or state building code commission.

SECTION 23. Section 9-104 of chapter 106 of the General Laws, as appearing in section 7 of chapter 512 of the acts of 1979, is hereby amended by striking out clause (e) and inserting in place thereof the following clause:-

(e) to a security interest created or granted by a government or governmental subdivision or agency to the extent that the creation, validity, enforceability, perfection or priority of such security interest is expressly governed by any other general or special law; or.

SECTION 24. Section 9-312 of chapter 106 of the General Laws, as so appearing, is hereby amended by striking out subsection (3) and inserting in place thereof the following subsection:-

(3) A perfected purchase money security interest in inventory has priority over a conflicting security interest in the same inventory and also has priority in identifiable cash proceeds received on or before the delivery of the inventory to a buyer if

(a) the purchase money security interest is perfected at the time the debtor receives possession of the inventory; and

(b) the purchase money secured party gives notification in writing to the holder of the conflicting security interest if the holder had filed a financing statement covering the same types of inventory (i) before the date of the filing made by the purchase money secured party, or (ii) before the beginning of the twenty-one day period where the purchase money security interest is temporarily perfected without filing or possession (subsection (5) of section 9-304); and

(c) the holder of the conflicting security interest receives the notification within five years before the debtor receives possession of the inventory; and

(d) the notification states that the person giving the notice has or expects to acquire a purchase money security interest in inventory of the debtor, describing such inventory by item or type.

SECTION 24A. Chapter 111 of the General Laws is hereby amended by striking out section 5H, inserted by section 14 of chapter 796 of the acts of 1979, and inserting in place thereof the following section:-

Section 5K. (A) The department, subject to appropriation, shall adopt rules and regulations that monitor the use and release of nuclear materials, source materials, or radioactive materials, whether irradiated or not, as they pertain to the operation of nuclear reactors.

(B) The department shall, subject to appropriation, establish and maintain a monitoring and surveillance program for all nu-

clear reactors. Such a program shall include, but not be limited to, the following activities:-

(1) The department, subject to appropriation, shall create a network of monitoring stations not all in fixed locations, to ascertain the movement, dispersal and reconcentration of any radioactive materials originating from nuclear reactors, whether in gaseous, liquid or solid form. For the purpose of this section, the department may utilize, (I) equipment owned and operated by the department, (II) equipment maintained and operated by the nuclear reactor operators either directly or indirectly and (III) the data obtained therefrom.

(2) The department shall, subject to appropriation, conduct periodic surveys to determine the extent and seriousness of radiation doses received by humans and animal life resulting from the reconcentration of radioactive materials, released from nuclear reactors. Such surveys and monitoring programs may be conducted in cooperation with other departments or agencies of the commonwealth or of any other state, or with the federal environmental protection agency the nuclear regulatory commission, or any other federal agency, or with any other suitable qualified persons or institutions.

(3) The department shall, subject to appropriation, make inspections either announced or unannounced, of each nuclear reactor installation or site located within the commonwealth. For the purposes of such inspections, the department is hereby specifically authorized to enter at any time (I) upon the site of said nuclear reactor installation whether said reactor is proposed, under construction, or in operation and (II) any buildings or facilities thereon, as may be necessary, in the judgment of the department, to determine compliance with its rules and regulations adopted under the provisions of this section. Subject to appropriation, the commissioner may appoint and remove inspectors to comply with the provisions of this section. Said inspectors shall have all the power and authority of inspectors as defined by section nine of this chapter.

(C) The department shall, subject to appropriation, publish and make available to the general public or to any interested party on a semi-annual basis, for each operating nuclear reactor, a summary and discussion of the results of the monitoring and surveillance program for the previous six months, including the results of any surveys completed under provisions of clause (2) of paragraph (B).

The summary for each nuclear reactor shall include, at a minimum: (1) a comparison of actual emissions and emission rates of radioactive materials, whether in a liquid or gaseous form, with those allowed by the technical specifications appearing in the facility operating license of the reactor; (2) the estimated

radiation doses received as a result of said emissions at various geographical locations under various occupancy assumptions; (3) a comparison of said estimated doses with applicable federal exposure guidelines; and (4) a listing and discussion of all accidents or abnormal occurrences, as defined by 42 USC sec. 5848, that were reported to the nuclear regulatory commission, pursuant to 42 USC secs. 5841 to 5849, inclusive, to rules and regulations promulgated under the authority of said statute, or to the requirements of the facility operating license of nuclear reactors.

(D) To support the development and operation of a state radiation monitoring program, the operators of nuclear reactors shall have reasonable charges levied against them.

SECTION 25. Said chapter 111 is hereby further amended by striking out section 25H, inserted by chapter 339 of the acts of 1977, and inserting in place thereof the following section:-

Section 25I. 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.

SECTION 26. Section 71 of said chapter 111 is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 571 of the acts of 1979.

SECTION 27. Said section 71 of said chapter 111 is hereby further amended by striking out the seventeenth paragraph, as so appearing, and inserting in place thereof the following paragraph:-

The licensee of every convalescent or nursing home or intermediate care facility for the mentally retarded shall file with the department, at the time his license is due for renewal, a sworn statement of the names and addresses of any person with an ownership or control interest in the home or in the real property occupied and used as such home or facility. As used herein, the phrase "person with an ownership or control interest" shall have the definition set forth in 42 USC Sec. 1320a-3 of the Social Security Act and in regulations promulgated hereunder by the department.

SECTION 27A. Chapter 159A of the General Laws is hereby amended by striking out section 17, added by chapter 588 of the acts of 1979, and inserting in place thereof the following section:-

Section 31. Whoever willfully, with intent to endanger the safety of any person on board or any person who he believes will board the same, or with a reckless disregard for the safety of human life, damages, disables, destroys, tampers with, or places or causes to be placed any explosive or other destructive substance in, upon, or in proximity to, any motor vehicle which is being used for the carriage of passengers for hire or for the transporting of school children; or whoever, with intent to endanger the safety of any person on board or any person who he believes will board the same, or with a reckless disregard for the safety of human life, willfully disables or incapacitates any driver or person employed in connection with the operation of such motor vehicle, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than twenty years, or by both such fine and imprisonment.

SECTION 27B. Chapter 236 of the General Laws is hereby amended by striking out section 18, as most recently amended by section 4 of chapter 756 of the acts of 1979, and inserting in place thereof the following section:-

Section 18. If a judgment creditor requires an execution to be levied on property which is claimed by the debtor to be as a homestead exempt from such levy and if the officer holding such execution is of the opinion that the premises are of greater value than fifty thousand dollars, appraisers shall be appointed to appraise the property in the manner provided by section six. If, in the judgment of the appraisers, the premises are of greater value than fifty thousand dollars, they shall set off to the judgment debtor so much of the premises, including the dwelling house, in whole or in part, as shall appear to them to be of the value of fifty thousand dollars; and the residue of the property shall be levied upon and disposed of in like manner as land not exempt from levy on execution; and if the property levied on is subject to a mortgage, it may be set off or sold subject to the mortgage and to the estate of homestead, in like manner as land subject to a mortgage only.

SECTION 28. Chapter 272 of the General Laws is hereby amended by striking out section 80G, inserted by chapter 426 of the acts of 1979, and inserting in place thereof the following section:-

Section 80H. The operator of a motor vehicle that strikes and injures or kills a dog or cat shall forthwith report such an accident to the owner or custodian of said dog or cat or to a police officer in the town wherein such accident has occurred. A violation of this section shall be punished by a fine of not more than fifty dollars.

SECTION 29. Section 2E of chapter 277 of the General Laws is hereby amended by striking out the word "forty-five", inserted

by section 32 of chapter 344 of the acts of 1979, and inserting in place thereof the word:- fifty.

SECTION 30. Section 2 of chapter 606 of the acts of 1973 is hereby amended by inserting after the word "areas", in line 11, the words:- and three-quarters of which shall be in proportion to their respective valuation.

SECTION 31. Section 6 of chapter 219 of the acts of 1977 is hereby amended by striking out, in line 1, the number "271A" and inserting in place thereof the number:- 271.

SECTION 32. Item 7010-0005 of section 2 of chapter 367 of the acts of 1978 is hereby amended by striking out the second sentence.

SECTION 33. Said chapter 367 is hereby further amended by striking out section 61 and inserting in place thereof the following section:-

Section 61. Said chapter 12 is hereby further amended by striking out section 16, as most recently amended by section 61 of chapter 393 of the acts of 1979, 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, three assistants, a sum equivalent to ninety per cent of the salary of the district attorney; nine assistants, a sum equivalent to eighty per cent of the salary of the district attorney; twelve assistants, a sum equivalent to seventy per cent of the salary of the district attorney; eleven assistants, a sum equivalent to sixty per cent of the salary of the district attorney; thirteen 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 equivalent to forty per cent of the salary of the district attorney; for the middle district, two assistants, 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; six 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; five 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, two assistants, a sum equivalent to ninety per cent of the salary of the district attorney; three 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; one assistant, a sum equivalent to sixty 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; one assistant, a sum equivalent to sixty 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 dis-

trict, 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; four assistants, 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; 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; 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 34. Section sixty-one A of said chapter three hundred and sixty-seven is hereby repealed.

SECTION 35. Said chapter 367 is hereby further amended by striking out section 70B and inserting in place thereof the following two sections:-

Section 70B. Chapter 58 of the General Laws is hereby amended by striking out section 18A, as most recently amended by section 54 of chapter 363A of the acts of 1977, and inserting in place thereof the following section:-

Section 18A. Commencing with the fiscal year ending June thirtieth, nineteen hundred and seventy-nine, and continuing in every fiscal year thereafter, the state treasurer shall, subject to appropriation and upon certification of the commission, annually distribute from the General Fund to the several cities, towns, regional school districts and independent vocational schools on or before the dates specified, to the extent that sufficient funds are available on such dates, the full amounts of school aid due the several cities, towns, regional school districts and independent vocational schools under the provisions of chapter seventy, provided, that not less than one-quarter thereof shall be paid on or before September fifteenth. A second payment shall be made on or before December fifteenth, and a third payment shall be

made on or before April fifteenth, and such payment, together with the payments previously made, shall equal seventy-five per cent of the total amount due. The balance thereof shall be paid on or before June fifteenth.

If upon any date of distribution in said fiscal years the amount appropriated is insufficient to pay the full amounts of school aid due under the provisions of chapter seventy the provisions of section eleven of said chapter seventy shall be applied in determining the actual amounts to be distributed to the several cities, towns, regional school districts and independent vocational schools under said chapter.

The amounts so distributable or distributed to the cities, towns, regional school districts and independent vocational schools under this section shall be subject to verification, correction, and adjustment by the commission in the event of any error or omission in their determination. Any adjustment which reduces or increases the amounts to which a city, town, regional school district or independent vocational school is entitled shall be taken into account in the distribution of school aid to such city, town, regional school district or independent vocational school as soon as may be after the adjustment is made and certified to the comptroller and department of revenue. No such adjustment shall be made after June thirtieth of the second fiscal year following the fiscal year in which such amounts of aid were distributed. Amounts distributable or changed in such year shall have priority over all other amounts distributed or changed in such year.

For the purpose of this section, the agricultural schools maintained by the counties of Bristol, Essex and Norfolk shall be deemed to be regional school districts.

Section 70C. The General Laws are hereby amended by striking out chapter 70 and inserting in place thereof the following chapter:-

CHAPTER 70.

SCHOOL FUNDS AND STATE AID FOR PUBLIC SCHOOLS.

Section 1. The purpose of the financial assistance provided by this chapter shall be to promote the equalization of educational opportunity in the public schools of the commonwealth, to reduce the reliance upon the local property tax in financing public schools, and to promote the equalization of the burden of the cost of school support to the respective cities, towns, regional school districts and independent vocational schools. Assistance provided under this chapter shall be designated as school aid.

In furtherance of such purpose, it is hereby declared to be the legislative intent that, subject to appropriation, no city or town shall receive less in school aid in the nineteen hundred and eighty and subsequent fiscal years than was received in the

nineteen hundred and seventy-nine fiscal year.

For the purposes of this chapter, the agricultural schools maintained by the counties of Bristol, Essex, and Norfolk shall be deemed to be regional school districts.

Section 2. When used in this chapter, the following words shall have the following meanings:-

"Average current operating expenditure per pupil in regular day program in the commonwealth", the sum of the total expenditures for all pupils enrolled in regular day programs in public schools in all cities, towns, regional school districts and independent vocational schools in the commonwealth during a fiscal year, as hereinafter defined, divided by the total of the sums of full-time equivalent pupils enrolled in regular day programs in all cities, towns, regional school districts and independent vocational schools during said year, as hereinafter defined.

"Average direct service expenditure per pupil in regular day program in the commonwealth", the sum of the total expenditures for all pupils enrolled in regular day programs in public schools in all cities, towns, regional school districts and independent vocational schools in the commonwealth during a fiscal year, as hereinafter defined, divided by the total of the sums of full-time equivalent pupils enrolled in regular day programs in all cities, towns, regional school districts and independent vocational schools during said year, as hereinafter defined; provided, however, that the numerator of the fraction described in this paragraph shall include expenditures for instructional services, attendance services, health services, fixed charges and food services only. Expenditures for administration, athletic and other student activities, plant operation and maintenance, capital outlays, transportation and food for food services shall not be included in the numerator of said fraction.

"Commissioner", the commissioner of education.

"Equalized valuation per person in a city or town", the equalized valuation of all property in a city or town subject to local taxation, as most recently reported to the general court under section ten C of chapter fifty-eight, divided by the number of persons who reside in such city or town. In the case of a regional school district, the equalized valuation per person shall be determined in the following manner: first the equalized valuation per person of each member municipality in the regional school district shall be multiplied by the percentage of all pupils enrolled in the regional school district who are residents of that municipality; and second, the equalized valuations per person in all member municipalities as so modified shall be summed. In the case of a regional school district in which (1) the equalized valuation per person of any member municipality is more than three hundred per cent of the equalized valuation per person in

the commonwealth, and, (2) at least one other member municipality has an equalized valuation per person of less than sixty per cent of the equalized valuation per person in the commonwealth and (3) all member municipalities with an equalized valuation per person of less than sixty per cent of the equalized valuation per person in the commonwealth together contribute more than fifty per cent of the total unweighted full-time equivalent pupils enrolled in regular day, special needs, vocational and transitional bilingual programs in said regional school district during the fiscal year in which school aid is to be distributed under this chapter, then solely for the purpose of computing the equalized valuation per person of said regional school district the equalized valuation per person of no member municipality shall exceed three hundred per cent of the equalized valuation person in the commonwealth. Independent vocational schools under the jurisdiction of a board of local or district trustees for vocational education shall be assigned the equalized valuation per person of the city or town in which they are located.

"Equalized valuation per person in the commonwealth", the equalized valuation of all property in the commonwealth subject to local taxation, as most recently reported to the general court under the provisions of section ten C of chapter fifty-eight, divided by the total number of persons who reside in the commonwealth.

"Full-time equivalent pupil", the computational unit used for the purpose of determining the number of pupils enrolled in either public school or in a program approved under chapter seventy-one B and the regulations promulgated thereunder, and educated at the full or partial expense of a city, town, regional school district or independent vocational school in each of the programs described in section two A.

Such unit shall be computed as follows:

(1) a pupil enrolled full-time in only one such program shall be counted as one full-time equivalent pupil in that program; provided that a pupil enrolled in a kindergarten or preschool program which meets for a period of time each day no greater than one-half the minimum length for a school day as established by the board of education under section one G of chapter fifteen shall be counted as one-half of a full-time equivalent pupil in the program in which such pupil is enrolled;

(2) a pupil enrolled separately in two or more said programs shall be counted as a fraction of a full-time equivalent pupil in each program with each such fraction equal to the number of hours the pupil spends in each program divided by the total number of hours the pupil spends in all programs;

(3) a pupil enrolled in two or more said programs which are

carried on simultaneously, and are therefore consolidated into one program, shall be counted as a full-time equivalent pupil in that one of such simultaneous programs in which the pupil is enrolled which has the highest pupil weight, as hereinafter provided in the definition of weighted full-time equivalent pupil; and

(4) a pupil enrolled in a program of more than one hundred and eighty-five days duration shall be counted as one full-time equivalent pupil plus a fraction of one full-time equivalent pupil in that program, with such fraction equal to the number of days in excess of one hundred and eighty divided by one hundred and eighty. The commissioner may by regulation, under the direction of the state board, further define the computation of "full-time equivalent pupil" as he deems advisable.

"Local support percentage", the percentage determined during each fiscal year in accordance with the provisions of section eleven.

"Persons who reside in a city or town", the population of the city or town as enumerated in the most recent of the following: (1) the most recent official state census conducted by the state secretary; or (2) the most recent official federal census, adjusted by the state tax commission to conform as nearly as possible to the same definitions as used in such state census.

"Pupil", a person who is enrolled in either public school or in an approved program under chapter seventy-one B and the regulations promulgated thereunder, and educated at the full or partial expense of a city, town, regional school district or independent vocational school where said full or partial expense represents an actual outlay or disbursement by said city, town, regional school district, or independent vocational school.

"Regular day program", any public school day program not defined as special needs, vocational or transitional bilingual education under any other provision of the General Laws or regulations promulgated thereunder.

"School aid percentage", for each city, town, regional school district and independent vocational school, the amount by which one hundred per cent exceeds the product of the local support percentage, as defined above, times the valuation percentage.

"State board", the state board of education.

"Sum of weighted full-time equivalent pupils", in a city, town, regional school district or independent vocational school, the total number of weighted full-time equivalent pupils in each program hereinafter defined in schools under the jurisdiction of a regional school district committee, a school committee of a city or town, or a board of local or district trustees for vocational education as the case may be, and the totals so derived for each program then added together to produce a single sum for all said

programs in each city, town, regional school district or independent vocational school; provided, however, that any full-time equivalent pupils residing in a city or town who are receiving education in the schools of another city, town, regional school district or independent vocational school, or in a program approved under chapter seventy-one B and the regulations promulgated thereunder, on a tuition basis shall be deemed to be full-time equivalent pupils of their city or town of residence.

"Total expenditures for all pupils enrolled in regular day programs in a city, town, regional district or independent vocational school", the total amount expended by such city, town, regional school district or independent vocational school during the previous fiscal year for the support of regular day programs in public schools exclusive of expenditures for transportation, payment of regional school district assessments, food for school food services and capital outlays, after deducting therefrom any receipts for tuition, receipts from the federal government, the proceeds of any invested funds and grants, gifts and receipts from any other sources, to the extent that such receipts are applicable to such expenditures; provided, however, that amounts applicable to such expenditures received by (a) a city, town, regional school district or independent vocational school from the commonwealth, and (b) a regional school district from the member cities and towns of said district, shall not be so deducted. The commissioner of education may, by regulation, further define the expenditures and receipts that may be included hereunder.

"Total expenditures for all pupils enrolled in all programs in a city, town, regional school district or independent vocational school", the total amount expended by a city, town, regional school district or independent vocational school during the previous fiscal year for the support of all programs in public schools and programs approved under chapter seventy-one B and the regulations promulgated thereunder, exclusive of expenditures for transportation, payment of regional school district assessments, food for school food services and capital outlays, after deducting therefrom any receipts for tuition, receipts from the federal government, the proceeds of any invested funds and grants, gifts, and receipts from any other sources, to the extent that such receipts are applicable to such expenditures; provided, however, that amounts applicable to such expenditures received by (a) a city, town, regional school district or independent vocational school from the commonwealth, and (b) a regional school district from the member cities and towns of said district shall not be so deducted. The commissioner of education may, by regulation, further define the expenditures and receipts that may be included hereunder.

"Valuation percentage of a city, town, regional school district

or independent vocational school", the proportion which the equalized valuation per person in a city, town, regional school district or independent vocational school bears to the equalized valuation per person in the commonwealth.

"Weighted full-time equivalent pupil", a full-time equivalent pupil enrolled in any regular day, special needs, vocational or transitional bilingual education program multiplied by the pupil weight cost factor for the program or programs in which the pupil is enrolled as set forth in section two A.

Section 2A. (1) A full-time equivalent pupil enrolled in a regular day program shall be assigned a pupil weight of 1.00; (2) a full-time equivalent pupil enrolled in a transitional bilingual education program in accordance with the provisions of chapter seventy-one A and the regulations promulgated thereunder shall be assigned a pupil weight of 1.40; (3) a full-time equivalent pupil enrolled in a regular education program with modifications, a regular education program with no more than twenty-five per cent time out, a regular education program with no more than sixty per cent time out, a substantially separate program, a home and hospital program, a day program or a preschool program for children with special needs, as defined in regulations promulgated under chapter seventy-one B, shall be assigned a pupil weight of 4.00; (4) a full-time equivalent pupil enrolled in a residential program for children with special needs, as defined in regulations promulgated under chapter seventy-one B, shall be assigned a pupil weight of 6.30; (5) a full-time equivalent pupil enrolled in a vocational education program, as defined in chapter seventy-four and regulations promulgated thereunder, but excluding therefrom pupils enrolled in evening classes of vocational education and adult evening practical arts programs, shall be assigned a pupil weight of 2.00; (6) a pupil whose family income is below the poverty level, as determined by the department of education in accordance with the regulations promulgated under Title I of the Federal Elementary and Secondary Education Act of 1965, as amended, shall be counted as one additional full-time equivalent pupil in programs of auxiliary services for educationally disadvantaged pupils, and assigned a pupil weight of 0.20 to reflect the possible needs of such a pupil for such auxiliary services, in addition to being counted in the regular day, special needs, vocational or transitional bilingual education program in which such pupil may be enrolled. Such auxiliary services shall seek to enable educationally disadvantaged pupils to fully benefit from regular day, special needs, vocational and transitional bilingual education programs. Approval criteria for auxiliary services for such educationally disadvantaged pupils shall be established by the board of education.

In determining the total number of full-time equivalent pupils enrolled in regular day program in a city, town, regional school district or independent vocational school (1) all children enrolled in a private school and receiving educational services at the expense of a city or town as required under the provisions of section forty-eight and fifty-seven of chapter seventy-one or Section 613 of the Federal Education for All Handicapped Children Act of 1975 shall be counted as a fraction of a full-time equivalent pupil enrolled in a regular day program, where the numerator of said fraction is the total amount so expended during the previous fiscal year, and the denominator of which is the average current operating expenditure per pupil in a regular day program in the commonwealth during said year; (2) pupils enrolled in adult education programs and other programs under the provisions of sections nine and nine A of chapter sixty-nine or sections eighteen, nineteen, twenty-one, twenty-six A, twenty-eight, seventy-one B, seventy-five, seventy-six, and seventy-seven of chapter seventy-one and any regulations promulgated thereunder and educated at the direct expense of a city, town, regional school district or independent vocational school, shall be counted as a fraction of a full-time equivalent pupil enrolled in a regular day program, where the numerator of said fraction is the total amount so expended for instructional services during the previous fiscal year after deducting therefrom any receipts for tuition, receipts from the federal government, the proceeds of any invested funds and grants, gifts and receipts from any other sources to the extent that such receipts are applicable to such expenditures provided, however, that amounts applicable to such expenditures received under this chapter as reimbursements for such expenditures shall not be so deducted, and the denominator of which is the average current operating expenditure per pupil in regular day program in the commonwealth during said year; (3) pupils enrolled in evening programs of vocational education and adult evening practical arts under chapter seventy-four and the regulations promulgated thereunder at the direct expense of a city, town, regional school district or independent vocational school shall be counted as a fraction of a full-time equivalent pupil enrolled in a regular day program where the numerator of said fraction is the total amount expended for instructional services during the previous fiscal year after deducting therefrom any receipts for tuition, receipts from the federal government, the proceeds of any invested funds and grants, gifts and receipts from any other sources to the extent that such receipts are applicable to such expenditures provided, however, that amounts applicable to such expenditures received under this chapter as reimbursements for such expenditures shall not be so deducted, and the denominator of which is the

average current operating expenditure per pupil in a regular day program in the commonwealth during said year; and (4) pupils enrolled in any program and educated at the direct expense of a city, town or regional school district who are residents of an institution and were not theretofore residents of said city, town or regional school district under the provisions of section eleven of chapter seventy-six shall be counted as a fraction of a full-time equivalent pupil enrolled in a regular day program where the numerator of said fraction is the total amount so expended for instructional services for said pupils during the previous fiscal year, after deducting therefrom any amount recovered from the commonwealth under said section eleven, and the denominator of which is the average current operating expenditure per pupil in regular day program in the commonwealth during said year.

Section 3. Subject to the limitations specified in sections six and seven, the amount of school aid to be paid to each city, town, regional school district and independent vocational school in a fiscal year under this chapter shall be determined by multiplying together: (1) the school aid percentage for such city, town, regional school district or independent vocational school; (2) the average current operating expenditures per pupil in regular day program in the commonwealth during the previous fiscal year; and (3) the sum of the weighted full-time equivalent pupils in such city, town, regional school district or independent vocational school during the fiscal year in question.

Section 4. The cities, towns, regional school districts and independent vocational schools shall report to the commissioner, in such form as the commissioner may require, all information necessary to compute the amount of school aid to be paid under this chapter. Such reports shall be made in accordance with the provisions of section six of chapter seventy-two. The commissioner may request other such reports as he deems necessary and as of such dates as he may require to carry out the purposes of this section.

The information submitted under this section shall be subject to approval, verification and adjustment. The commissioner shall be responsible for the verification of such information, including but not limited to (a) the numbers of full-time equivalent pupils within each program listed in section two A reported by each city, town, regional school district and independent vocational school; (b) certification that programs in transitional bilingual education under chapter seventy-one A have been carried out in accordance with the requirements of said chapter seventy-one A, the regulations promulgated thereunder, and approved plans submitted earlier by a city, town, regional school district or independent vocational school; (c) approval and certification that

expenditures under chapter seventy-one B are reasonable, that funds for special education personnel, materials and equipment, tuition, rent and consultant services were actually expended, and that such special education classes, instruction periods and other programs have met the standards and requirements prescribed by the regulations promulgated under said chapter seventy-one B; and (d) approval of vocational education programs under chapter seventy-four and regulations promulgated thereunder; (e) approval of adult education programs and other programs under sections nine and nine A of chapter sixty-nine and sections eighteen, nineteen, twenty-one, twenty-six A, twenty-eight, seventy-one B, seventy-five, seventy-six and seventy-seven of chapter seventy-one and regulations promulgated thereunder. When undertaking such verification, the commissioner shall employ a number of criteria in examining the information so reported, including but not limited to (a) the proportion which the total enrollment in each program listed in section two A reported by each city, town, regional school district and independent vocational school bears to the total enrollment in all programs so reported, and (b) the percentage change in the proportional enrollment in each program listed in section two A reported by each city, town, regional school district and independent vocational school from the prior fiscal year. An audit of the information submitted by a city, town, regional school district and independent vocational school shall be conducted by the commissioner in each instance of significant change in the annual proportional enrollment of any program listed in section two A.

A city, town, regional school district or independent vocational school may submit to the commissioner amendments to such a previously completed report in the event of any error in the preparation of said reports; provided, however, that no such amendment may be filed after June thirtieth of the fiscal year succeeding that in which amounts of school aid were computed and paid on the basis of the previously submitted report.

Any such adjustment which reduces or increases, as the case may be, the school aid to which a city, town, regional school district or independent vocational school is entitled shall be taken into account in the school aid to be paid to such city, town, regional school district or independent vocational school as soon as may be after the adjustment is made and certified to the comptroller and department of revenue. No such adjustment shall be made after June thirtieth of the second fiscal year following the fiscal year in which such amounts of aid were distributed.

Section 5. The commissioner shall certify to the comptroller and to the department of revenue no later than December thirty-

first prior to the fiscal year in which the aid is to be paid the estimated amount of school aid to be paid to each city, town, regional school district and independent vocational school. Before the final distributions are made under the provisions of section eighteen A of chapter fifty-eight, the commissioner shall make a final certification to the comptroller and to said department of revenue of the full amount due the cities, towns, regional school districts and independent vocational schools.

Section 6. The aid paid to any city, town, regional school district or independent vocational school under this chapter shall not be less than one hundred and seven per cent of the sum of the amounts due said city, town, regional school district or independent vocational school from the commonwealth during the fiscal year ending June thirtieth, nineteen hundred and seventy-eight under the provisions of the formulae contained in the following sections of the General Laws, as such formulae were applied during the fiscal year ending June thirtieth, nineteen hundred and seventy-eight, and as such amounts due were affected by the provisions of the second and third paragraph of paragraph (3) of subsection (b) of section eighteen A of chapter fifty-eight; chapter seventy; sections four and eight of chapter seventy-one A; the first paragraph of section thirteen of chapter seventy-one B; sections nine, eleven and twelve of chapter seventy-four; and section ten of chapter seventy-four, excluding therefrom reimbursements for tuition fees for children placed in a city or town by the commissioner of public welfare or the youth service board. Said sums shall exclude any amounts of reimbursements due under said statutes for expenditures incurred in the transportation of pupils. In determining the amounts due from the commonwealth in the fiscal year ending June thirtieth, nineteen hundred and seventy-eight, the amount of school aid due under this chapter to cities and towns which were members of regional school districts shall be deemed to have been due to each of their respective regional school districts in the same proportions as the current operating assessments for the cost of regular day program levied by each regional school district upon each such member city or town during said fiscal year bear to the total current operating expenditures, including such assessments, for all pupils enrolled in regular day program in each such city or town during the fiscal year ending June thirtieth, nineteen hundred and seventy-eight. The amounts of school aid due, as so determined, shall be deducted from the amounts deemed to have been due such member cities and towns from the commonwealth under this chapter during the fiscal year ending June thirtieth, nineteen hundred and seventy-eight. The commissioner may, by regulation, under the direction of the state board, further define the amounts of aid due

or deemed to have been due each city, town, regional school district and independent vocational school from the commonwealth under said provisions of chapters seventy, seventy-one A, seventy-one B and seventy-four. Said regulations may include the amounts of aid due or deemed to have been due any regional school district established, reorganized, or terminated after the fiscal year ending June thirtieth, nineteen hundred and seventy-eight.

Section 7. In each fiscal year, each city, town, regional school district and independent vocational school shall expend at least eighty-five per cent of the product obtained by multiplying the average direct service expenditure per pupil in regular day program in the commonwealth during the previous fiscal year by the sum of weighted full-time equivalent pupils in the city, town, regional school district or independent vocational school during the current fiscal year. The amount so determined shall be expended for the support of the school programs listed in section two A, exclusive of expenditures for administration, athletic and other student body activities, plan operation and maintenance, transportation, payment of regional school district assessments, food for school food programs, and capital outlay; provided, however, that amounts received by a regional school district from the member cities and towns of said district which are applicable to such expenditures for such programs shall not be so deducted.

If a city, town, regional school district or independent vocational school fails to expend, from sources other than the amounts of aid paid under this chapter, an amount equal to the difference between (1) the amount determined in accordance with the first sentence of this section, and (2) either the total estimated amount of school aid to have been received, or the total school aid actually received by said city, town, regional school district or independent vocational school during the fiscal year in question, whichever is greater, then the commissioner shall certify to the comptroller and the department of revenue an amount equal to the school aid otherwise due to be paid under this chapter during the next fiscal year, multiplied by a fraction, the numerator of which is the actual amount expended by said city, town, regional school district or independent vocational school, from sources other than the amounts of aid paid under this chapter, and the denominator of which is the difference as set forth above.

The commissioner shall annually calculate, on or before January thirty-first, to the nearest tenth of one per cent, the proportion which the total amount of school aid paid under this chapter during the previous fiscal year bears to the sum of the total expenditures for all pupils, enrolled in all programs in all

cities, towns, regional school districts and independent vocational schools during said previous fiscal year, until said proportion equals at least thirty-five per cent. The provisions of this section shall then apply to the expenditures of all cities, towns, regional school districts, and independent vocational schools commencing with the third fiscal year following that in which said percentage first equals at least thirty-five per cent, and in every fiscal year thereafter.

Section 8. Notwithstanding any provision of law to the contrary, the school aid paid under this chapter to a city, town, regional school district or independent vocational school in accordance with the provisions of this chapter shall be deposited with the treasurer of the city, town, or regional school district, and shall be applied in the first instance, subject to the limitations specified below, to total expenditures for current operating costs in all programs during the fiscal year in which payments are so made. In the event that the estimated amount of school aid to be received by a city, town, regional school district or independent vocational school exceeds the amount included for such expenditures within the total school department, regional school district or independent vocational school budget approved by said city, town, regional school district or independent vocational school, after first deducting from such budgeted expenditures any other estimated receipts for tuition, receipts from the federal government, the proceeds of any invested funds and grants, gifts, and receipts from the commonwealth or any other source, to the extent that such receipts are applicable to such expenditures, such access shall be available for application to expenditures for any municipal purpose by such city or town, or used by such regional school district to reduce the operating assessments levied upon member cities and towns during the following fiscal year. In the event that the amount of such school aid actually received during the fiscal year exceeds the estimated school aid, such excess shall be added to the estimated school aid 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 school aid actually received and available during the fiscal year under the provisions of this section for such operating expenditures, plus receipts from any other sources applicable to such expenditures as defined above, exceed the total actual amount of such expenditures, such excess shall be added to the estimated school aid to be received during the following year and applied in aforesaid manner. The entire amounts of such excess school aid carried over from any previous year, plus the entire estimated amount of school aid to be received by a city or town under this chapter during the fiscal year shall, however, be treated by the board

of assessors as school incomes when computing the school tax rate for said fiscal year under the provisions of section twenty-three C of chapter fifty-nine. The entire estimated amount of school aid to be received by a regional school district during the fiscal year, plus any amount of such excess school aid carried over from any previous year, shall be used by said district to reduce the operating assessments levied by such district upon member cities and towns during the following year.

The commissioner shall determine the portions of the school aid received by each city, town, regional school district or independent vocational school which are allocated on account of the total number of weighted full-time equivalent pupils reported for each program listed in section two A. Not less than seventy per cent of the aforesaid portions of school aid so determined for each said program and received by each city, town, regional school district or independent vocational school under this chapter shall be expended for instructional services, attendance services, health services, fixed charges and food services in each program listed in section two A in which full-time equivalent pupils were reported by the city, town, regional school district or independent vocational school during said fiscal year.

Section 9. The school fund of the commonwealth, known as the Massachusetts School Fund, with future additions shall constitute a permanent fund. The commissioner of education and the state treasurer shall continue to be commissioners to invest and manage said fund, and they shall report annually the condition and income thereof. All investments shall be made with the approval of the governor and council. The annual income thereof shall be paid to the several cities, towns, regional school districts and independent vocational schools under the provisions of section eighteen A of chapter fifty-eight, as part of the school aid required under this chapter.

Section 10. The income of the Todd Fund shall be paid to the board of trustees of state colleges, and applied by it to specific objects, in connection with state colleges, not provided by appropriation.

Section 11. In determining the amount of school aid due to be paid under this chapter to each city, town, regional school district, and independent vocational school during any fiscal year, the local support percentage used in computing said school aid shall be determined so that the total school aid as so computed shall be equal to the amount actually appropriated for distribution as school aid under this chapter, after deducting the amounts to be paid under the provisions of section six. The local support percentage so determined in any fiscal year shall be the same for every city, town, regional school district and independent vocational school. The school aid to be distributed under this chapter shall be subject to application.

SECTION 35A. Section 2 of chapter 483 of the acts of 1978 is hereby amended by striking out, in line 1, the word "elderly" and inserting in place thereof the words:- the executive office of manpower.

SECTION 35B. Section 3 of said chapter 483 is hereby amended by striking out, in line 1, the word "elderly" and inserting in place thereof the words:- the executive office of manpower.

SECTION 36. Chapter 496 of the acts of 1978 is hereby amended by striking out section 8 and inserting in place thereof the following section:-

Section 8. The provisions of section twenty-nine to thirty-eight, inclusive, of chapter twenty-three A, inserted by section three of this act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect their purpose.

SECTION 37. Chapter 514 of the acts of 1978 is hereby amended by striking out section 99 and inserting in place thereof the following section:-

Section 99. Section 1 of chapter 62B of the General Laws is hereby amended by striking out the definitions of "Commission" and "Commissioner", as appearing in section 1 of chapter 17 of the acts of 1959, and inserting in place thereof the following definition:-

"Commissioner", the commissioner of revenue.

SECTION 38. Chapter 526 of the acts of 1978 is hereby amended by striking out sections 1, 2 and 3 and inserting in place thereof the following three sections:-

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, or the rehabilitation of designated buildings.

Section 2. Said section 30 of said chapter 23A, as so appearing, is hereby further amended by inserting after the definition of "Commissioner" the following definition:-

"Designated buildings", any building or buildings to be rehabilitated for commercial use located within the boundaries of a downtown commercial center of any city or town as set forth in a downtown revitalization plan approved by the city or town and designated in said plan as a building or buildings which due to their location, character, or significance are such an integral part of said plan that their preservation and rehabilitation are

vital to the success of said plan.

Section 3. The first paragraph of section 33 of said chapter 23A, as so appearing, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) to provide insurance of loans, or their debt service, made to finance the acquisition, construction, rehabilitation or alteration or any combination thereof, of industrial development facilities, pollution control facilities, and solid waste disposal facilities;.

SECTION 39. Said chapter 526 is hereby further amended by striking out section 5 and inserting in place thereof the following section:-

Section 5. The third paragraph of said section 33 of said chapter 23A, as so appearing, is hereby amended by striking out clause (5) and inserting in place thereof the following clause:-

(5) that the project will provide or retain employment having a reasonable relationship to the principal amount of loans to be insured therefor, taking into account, among other things, the investment per employee of comparable industrial facilities or designated buildings.

SECTION 40. Section 3 of chapter 455 of the acts of 1979 is hereby amended by striking out, in line 6, the word "seventy-seven" and inserting in place thereof the following word:- seventy-nine.

SECTION 41. Section 6 of chapter 344 of the acts of 1979 is hereby amended by striking out, in line 2, the word "seventy-three" and inserting in place thereof the word:- twenty-three.

SECTION 42. Section forty-five of chapter four hundred and eighty-five of the acts of nineteen hundred and seventy-nine is hereby repealed.

SECTION 43. Chapter 396 of the acts of 1979 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 2. This act shall take effect as of July twentieth, nineteen hundred and seventy-eight.

SECTION 44. Chapter seven hundred and seventy-three of the acts of nineteen hundred and seventy-nine is hereby repealed.

SECTION 45. Chapter 790 of the acts of 1979 is hereby amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. Notwithstanding the provisions of section thirty-five of chapter ten of the General Laws, funds in the State Arts Lottery Fund shall not be distributed to the cities or towns until June first, nineteen hundred and eighty-one.

SECTION 46. Chapter 797 of the acts of 1979 is hereby amended by striking out sections 22 and 23 and inserting in place thereof the following two sections:-

Section 22. Notwithstanding any provisions of section one of chapter fifty-eight of the General Laws, as amended by section three of this act, any person who on the effective date of this act shall have been elected or appointed an assessor in any city or town and who is continuing to perform such duties on the date the commissioner establishes the minimum standards for qualifications of assessing personnel required by said section one shall have three years from such date to acquire the necessary qualifications.

Section 23. Sections forty-one and forty-two of chapter five hundred and eighty of the acts of nineteen hundred and seventy-eight are hereby repealed.

SECTION 47. Section forty of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine is hereby repealed.

SECTION 47A. Chapter 480 of the acts of 1979 is hereby amended by striking out section 26 and inserting in place thereof the following section:-

Section 26. To meet the expenditures necessary for carrying out the purposes of section nineteen A of chapter six A of the General Laws, inserted by section twenty-five of this act, there is hereby appropriated from the Highway Fund the sum of one hundred and twenty-five thousand dollars; provided, that these funds shall be expended only with the prior written approval of the commissioner of administration and the house and senate committee on ways and means.

SECTION 48. Section forty-one of this act shall take effect as of July first, nineteen hundred and seventy-nine; provided, however, that any action taken or to be taken under the provisions of sections twelve, thirteen and fourteen of chapter two hundred and seventy-three A of the General Laws are hereby ratified, validated and confirmed as if said section forty-two had been in effect on said date.

SECTION 49. The provisions contained in the definition of "Equalized valuation per person in a city or town", in section two of chapter seventy of the General Laws, as amended by section thirty-five of this act, shall apply to distributions made in the fiscal year commencing July first, nineteen hundred and eighty and in every fiscal year thereafter.

Approved June 11, 1980.

Chap. 262. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO CONVEY CERTAIN PARCELS OF LAND TO THE LEXINGTON HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The town of Lexington, acting by and through its board of selectmen, is hereby authorized to convey to the Lexington Housing Authority, the following two parcels of land being presently used for recreational and general municipal purposes, together with and subject to all rights and restrictions of record, bounded and described as follows:

Parcel One

Northeasterly by land now or formerly of John A. and Mary M. Grano and by land now or formerly of Wilford J. and Helen T. Perry, one hundred forty (140.00) feet;

Southeasterly by land now or formerly of Waymint Realty Trust, two hundred forty-five (245.00) feet;

Southwesterly by land now or formerly of said Waymint Realty Trust, one hundred forty (140.00) feet; and

Northwesterly by land now or formerly of Boerner Lexington Corporation, two hundred forty-five (245.00) feet.

Said parcel one contains 34,300 square feet, more or less, and is shown as parcel A-2 on plan entitled "Plan of Land in Lexington, Mass.," dated June 25, 1968, Albert A. Miller, Wilbur C. Nylander, Civil Engineers and Surveyors, recorded in Middlesex South Registry of Deeds, Book 11563, Page 3.

Parcel Two

Northerly by Woburn Street, seventy-four and 44/100 (74.44) feet;

Easterly by land now or formerly of William H. & Alice B. Seabrook, Boerner Lexington Corp., and Town of Lexington by three lines measuring, respectively, one hundred thirty-three (133.00) feet, one hundred twenty-six and 28/100 (126.28) feet and two hundred forty-two and 47/100 (242.47) feet;

Northerly by said land of the Town of Lexington, two hundred forty-five (245.00) feet;

Easterly by land now or formerly of Jack P. & Ann Selian, ninety-two (92.00) feet;

Southerly by land of the Town of Lexington, six hundred ten (610.00) feet;

Westerly by land now or formerly of Waymint Realty Trust, four hundred seventy and 76/100 (470.76) feet;

Northerly by land now or formerly of Edward E. & Marjorie R. Modoono, William H. & Barbara L. White and H. Irving & Helen Currier, three hundred twenty-two and 46/100 (322.46) feet; and

Southwesterly by said land of H. Irving & Helen Currier, two hundred twelve and 34/100 (212.34) feet.

Said parcel two contains 4.4 acres, more or less, and is shown on plan entitled "Plan of Land in Lexington, Mass.," dated February 11, 1969, E. Conrad Levy & Assoc., Surveyors and Engineers, recorded in said Deeds, Book 12177, Page 550.

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

Approved June 11, 1980.

Chap. 263. AN ACT AUTHORIZING THE TOWN OF CARLISLE TO CONVEY A CERTAIN PARCEL OF LAND TO THE CARLISLE ELDERLY HOUSING ASSOCIATION, INC. FOR USE AS A SITE FOR THE CONSTRUCTION OF ELDERLY HOUSING.

Be it enacted, etc., as follows:

SECTION 1. The town of Carlisle acting by and through its board of selectmen is hereby authorized to convey to the Carlisle Elderly Housing Association, Inc. for the minimum amount of one dollar for use as a site for the construction of housing for elderly persons a certain parcel of land located on the northeasterly side of Church Street in Carlisle and shown as Lots No. 7 and 14-A on a plan entitled "Plan of Land on Church Street in Carlisle, Massachusetts, Lots No. 7-A, 7 and 14-A" by Cleverdon, Varney & Pike, Consulting Engineers, dated February 22, 1980, a copy of which is filed with the Town Clerk.

The parcel comprising Lots No. 7 and 14-A is bounded and described as follows, as shown on said plan:

SOUTHWESTERLY by Church Street, 350.88 feet;

WESTERLY by Lot No. 7-A by three distances measuring, respectively, 133.28 feet, 83.87 feet and 125.23 feet;

NORTHERLY by land of the Town of Carlisle, 201.37 feet;

EASTERLY by land now or formerly of White, 244.20 feet;

NORTHERLY again by said land now or formerly of White by two distances measuring, respectively, 147.61 feet and 163.23 feet;

WESTERLY again by said land now or formerly of White, 13.21 feet;

NORTHERLY again by land now or formerly of Kennedy by two distances measuring, respectively, 42.87 feet and 90.13 feet and by land now or formerly of the Roman Catholic Archbishop of Boston by three distances measuring, respectively, 26.77 feet, 77.03 feet and 9.43 feet;

EASTERLY again by land now or formerly of Wilkins (Porter) 171.41 feet;

SOUTHWESTERLY again by land now or formerly of the Town of Carlisle and Gill, 310.05 feet;

EASTERLY again by said land now or formerly of Gill, 21.99 feet;

SOUTHERLY by land now or formerly of Boynton, 268.99 feet; and

SOUTHEASTERLY by said land now or formerly of Boynton,

75.45 feet.

Lots No. 7 and 14-A together contain 4.46 acres, more or less, according to said plan.

Being the same premises conveyed to the inhabitants of the town of Carlisle for general municipal purposes by Benjamin H. Clark and Nina Z. Clark by deed dated May 29, 1962 and recorded with Middlesex North District Deeds, Book 1558, Page 393.

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

Approved June 11, 1980.

Chap. 264. AN ACT MAKING LOANS UP TO SIX THOUSAND DOLLARS SUBJECT TO THE LAW REGULATING THE MAXIMUM RATE OF INTEREST THAT MAY BE CHARGED BY PERSONS ENGAGED IN THE BUSINESS OF MAKING SMALL LOANS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by striking out section 96, as most recently amended by chapter 190 of the acts of 1967, and inserting in place thereof the following section:-

Section 96. No person shall directly or indirectly engage in the business of making loans of six thousand dollars or less, if the amount to be paid on any such loan for interest and expenses exceeds in the aggregate an amount equivalent to twelve per cent per annum upon the sum loaned, without first obtaining from the commissioner of banks, in sections ninety-six to one hundred and fourteen, inclusive, called the commissioner, a license to carry on the said business in the town where the business is to be transacted. When an application for a loan or for an endorsement or guarantee or for the purchase of a note is made by any person within this commonwealth, and the money is advanced or the endorsement or guarantee is made or furnished by any person without this commonwealth, the transaction shall be deemed a loan made within this commonwealth, and such a loan and the parties making it shall be subject to sections ninety-six to one hundred and thirteen, inclusive. The buying or endorsing of notes or the furnishing of guarantee or security for compensation shall be considered to be engaging in the business of making small loans within said sections, but the foregoing provisions of this sentence shall not apply in the case of any transaction which involves any note or other instrument evidencing the indebtedness of a buyer to the seller of goods, services or insurance for a part or all of the purchase price; provided, however, that any advance of money by such seller or, by a

person acting on his behalf for the purpose of paying an existing indebtedness of such buyer or for any other purpose shall constitute a loan of money subject to the provisions of this section. For the purposes of said sections, the amount to be paid upon any loan of six thousand dollars or less for interest or expenses shall include all sums paid or to be paid by or on behalf of the borrower for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment, and all other sums charged against or paid or to be paid by the borrower for making or securing directly or indirectly the loan, and shall include all such sums when paid by or on behalf of or charged against the borrower for or on account of making or securing the loan, directly or indirectly, to or by any person, other than the lender, if such payment or charge was known to the lender at the time of making the loan, or might have been ascertained by reasonable inquiry. Any person directly or indirectly engaging, for a fee, commission, bonus or other consideration, in the business of negotiating, arranging, aiding or assisting the borrower or lender in procuring or making loans of six thousand dollars or less, for which the amount paid or to be paid for interest and expenses, including all amounts paid or to be paid to any other party therefor, exceeds in the aggregate an amount equivalent to twelve per cent per annum, whether such loans are actually made by such person or by another party, shall be deemed to be engaged in the business of making small loans, and shall be subject to sections ninety-six to one hundred and twelve, inclusive. If, after all deductions or payments, whether on account of interest, expenses or principal made substantially contemporaneously with the making of the loan, the amount retained by the borrower be six thousand dollars or less, the transaction shall be deemed to be a loan in the amount of the sum so retained by the borrower after such deductions or payments, notwithstanding that the loan be nominally for a greater sum.

The provisions of this section shall not apply to loans which are subject to the provisions of section ninety A.

SECTION 2. Said chapter 140 is hereby further amended by striking out section 110, as most recently amended by chapter 196 of the acts of 1967, and inserting in place thereof the following section:-

Section 110. Whoever, not being duly licensed as provided in section ninety-six, on his own account or on account of any other person not so licensed, engages in or carries on, directly or indirectly, either separately or in connection with or as a part of any other business, the business of making loans or buying notes or furnishing endorsements or guarantees, to which sections ninety-six to one hundred and eleven, inclusive, apply,

shall be punished by imprisonment in the state prison for not more than ten years or in a jail or house of correction for not more than two and one-half years, or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment. Any loan made or note purchased or endorsement or guarantee furnished by an unlicensed person in violation of said sections shall be void. In any judicial proceedings under said sections the fact that the defendant has made or assisted in the making of two or more loans of six thousand dollars or less, upon which there has directly or indirectly been paid or charged, for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment or other expenses, a sum which exceeds in the aggregate an amount equivalent to twelve per cent per annum upon the amount actually received by the borrower, whether such sum has been paid to or charged by the defendant or paid to or charged by any other person, shall be prima facie evidence that the defendant has engaged in and carried on the business of making loans to which sections ninety-six to one hundred and twelve, inclusive, apply.

SECTION 3. Said chapter 140 is hereby further amended by striking out section 114A, as most recently amended by section 3 of chapter 401 of the acts of 1975, and inserting in place thereof the following section:-

Section 114A. Trust companies, savings banks, co-operative banks, savings and loan associations, credit unions, national banking associations and federal savings and loan associations shall not be subject to the provisions of sections ninety-six to one hundred and fourteen, inclusive; provided, that such institutions may not take, receive, reserve or charge interest, expenses and other considerations for making or securing a loan of six thousand dollars or less in excess of those permitted by section one hundred. Any loan of six thousand dollars or less made by any trust company, savings bank, co-operative bank, savings and loan association, credit union, national banking association or federal savings and loan association on which charges for interest, expenses and other considerations exceed those permitted by section one hundred may be declared void by the supreme judicial or superior court in equity upon petition by the person to whom the loan was made, and any such trust company, bank, association or credit union making such loan shall be subject to a fine of not more than five hundred dollars. This section shall not be construed as preventing a rate of charge for interest, expenses and other consideration on one or more portions of a loan in excess of the permitted maximum rate of charge applicable to said portion or portions, provided, that the composite rate of charge on the whole loan produces an amount equal to or less than that which would be produced were

said maximum rate of charge applied to said loan. Extension, default or deferment charges shall not be deemed to be interest, expenses and other considerations in determining the maximum rate of charge that may be taken, received, reserved or charged for said loan.

SECTION 4. Until such time as the small loans regulatory board shall establish a maximum interest rate on that part of the unpaid principal balance of a loan exceeding three thousand dollars but not exceeding six thousand dollars, the maximum charge for interest, expenses and other considerations on such unpaid principal balance shall not exceed the maximum rate of interest established by said board on the unpaid principal balance of a loan not exceeding three thousand dollars.

Approved June 11, 1980.

Chap. 265. AN ACT FURTHER REGULATING A STANDARD OF CONDUCT AND LIABILITIES OF INCORPORATORS, OFFICERS AND DIRECTORS OF A CORPORATION.

Be it enacted, etc., as follows:

Chapter 156B of the General Laws is hereby amended by striking out sections 61 to 66, inclusive, and inserting in place thereof the following six sections:-

Section 61. Directors of a corporation who vote to authorize any distribution by the corporation to one or more of its stockholders, whether by way of a dividend, repurchase or redemption of stock, or otherwise, except a distribution of stock of the corporation, which is in violation of the corporation's articles of organization shall be jointly and severally liable to the corporation for the amount by which such distribution exceeds that which could have been made without violation of the corporation's articles of organization, but only to the extent such excess distribution is not repaid to the corporation. If the corporation is insolvent or is rendered insolvent by the making of any such distribution, whether or not in violation of the articles of organization, the directors who voted to authorize such distribution shall be jointly and severally liable to the corporation for the amount of such distribution made when the corporation is insolvent, or for the amount of such distribution which exceeds that which could have been made without rendering the corporation insolvent, but in either event only to the extent such distribution, or such excess, is not repaid to the corporation. In no event shall the directors who authorized any such distribution be liable under this section if such distribution could have been made without violating the articles of organization or render-

ing the corporation insolvent at the time when such distribution was authorized, although subsequent payment of such distribution or any part thereof causes such violation or insolvency.

Section 62. The directors who vote for, and the officers who knowingly participate in, any loan of any assets of a corporation to any of its officers or directors shall be jointly and severally liable to the corporation for any portion of such loan which is not repaid unless a majority of the directors who are not direct or indirect recipients of such loan or the holders of a majority of the shares entitled to vote for directors which holders are not direct or indirect recipients of such loan, shall have approved or ratified the making of such loan as one which in the judgment of such directors or such holders may reasonably be expected to benefit the corporation.

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 shall be jointly and severally liable to any 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 such directors and officers shall not be liable to any creditor on account of such false representation for debts contracted or contracts entered into after the filing of a statement or report in which such false representation is corrected.

Section 64. The incorporators and officers of a corporation who sign any articles of organization, articles of amendment, or articles of consolidation or merger required by this chapter which are false in any material respect with regard to said corporation shall be jointly and severally liable to any stockholder of said corporation or of the resulting or surviving corporation, as the case may be, for the actual damage sustained by such stockholder by reason of reliance on such false statement, except that such incorporators and officers shall not be liable to any such stockholder by reason of reliance on such false statement occurring after the filing of corrected or amended articles of organization, articles of amendment, or articles of consolidation or merger in which such false statement is corrected.

Section 65. A director, officer or incorporator of a corporation shall perform his duties as such, including, in the case of a director, his duties as a member of a committee of the board upon which he may serve, in good faith and in a manner he reasonably believes to be in the best interests of the corporation, and with such care as an ordinarily prudent person in a like position would use under similar circumstances. In performing his duties, a director, officer or incorporator shall be entitled to rely on information, opinions, reports or records, including

financial statements, books of account and other financial records, in each case presented by or prepared by or under the supervision of (1) one or more officers or employees of the corporation whom the director, officer or incorporator reasonably believes to be reliable and competent in the matters presented, or (2) counsel, public accountants or other persons as to matters which the director, officer or incorporator reasonably believes to be within such person's professional or expert competence, or (3) in the case of a director, a duly constituted committee of the board upon which he does not serve, as to matters within its delegated authority, which committee the director reasonably believes to merit confidence, but he shall not be considered to be acting in good faith if he has knowledge concerning the matter in question that would cause such reliance to be unwarranted. The fact that a director, officer or incorporator so performed his duties shall be a complete defense to any claim asserted against him, whether under sections sixty to sixty-four, inclusive, or otherwise, except as expressly provided by statute, by reason of his being or having been a director, officer or incorporator of the corporation.

Section 66. Any director, officer or incorporator against whom a claim is successfully asserted under this chapter shall be entitled to contribution from the other directors or incorporators who voted for, and the other officers who participated in, the action upon which the claim is asserted, and who did not perform their duties in connection with the matter upon which the claim is asserted in accordance with the standards set forth in section sixty-five.

Approved June 11, 1980.

Chap. 266. AN ACT RELATIVE TO THE QUALIFICATIONS OF COMMUNITY SERVICE AREA DIRECTORS IN THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

The fifth paragraph of section 5 of chapter 18 of the General Laws, as most recently amended by chapter 736 of the acts of 1977, is hereby further amended by inserting after the word "work", in line 5, the following words:- , public administration, business administration, or any other field related to human services or administration.

Approved June 11, 1980.

Chap. 267. AN ACT ESTABLISHING THE ASHFIELD WATER DISTRICT IN THE TOWN OF ASHFIELD.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Ashfield liable to taxation in said town and residing within the territory bounded and described as follows:- Beginning at a point at the northwest end of the dam at the upper reservoir, thence running easterly in a straight line to a point at the intersection of the northeasterly line of Buckland Road and the easterly line of Route 112; thence southeasterly in a straight line to a point at the northeast corner of the property known as the Plain Cemetery and at land of Walter Whitney, Jr.; thence southeasterly in a straight line to a point at the northeasterly corner of the land of Frank C. Guditis and Beverly Guditis around the easterly line of said property to the southeasterly corner of said property; thence westerly in a straight line to a point on Norton Hill Road, formerly known as Spruce Corner Road, at the intersection of land of Carrolle Markle and George H. Bennett and Shirley Bennett; thence northwesterly in a straight line to the upstream extremity of the upper reservoir at its high water mark; thence around the western and northern edges of said upper reservoir at its high water mark, thus encompassing all of the upper reservoir at its high water mark, to the point of beginning;- also including land conveyed to the Ashfield Water Company by deed of Harry E. Harmon dated January 4, 1940 and recorded in Franklin County Registry of Deeds in Book 844, Page 157, - shall constitute a water district and are hereby made a body corporate by the name of the Ashfield Water District, hereinafter called the district, for the purpose of supplying themselves and others, for fair consideration, with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and

hold, the waters, or any portion thereof, of any pond, spring, or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Ashfield not already appropriated for the purpose of a public supply, and the water and flowage rights connected with any such water sources, and for the 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 environmental quality engineering, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said towns, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such way; 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 Ashfield.

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 other-

wise acquire the right to occupy temporarily any land 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 chapter seventy-nine or chapter eighty A of the General Laws; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Ashfield Water District Loan, Act of 1980. 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, shall 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 Ashfield annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said towns, 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 collectors, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said towns, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this

act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the

condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

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

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

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

SECTION 14. This act shall take 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 of this act, within four years after its passage.

Approved June 11, 1980.

Chap. 268. AN ACT PROVIDING THAT SAVINGS BANKS MAY ACCEPT DEPOSITS RELATIVE TO INDUSTRIAL DEVELOPMENT AND HEALTH CARE AND EDUCATIONAL DEVELOPMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40D of the General Laws is hereby amended by striking out section 9, as amended by section 8 of chapter 495 of the acts of 1978, and inserting in place thereof the following section:-

Section 9. Any municipality acting by and through an industrial development financing authority is hereby authorized and empowered to borrow money in furtherance of the purposes of this chapter and to evidence the same by the issuance of bonds. The bonds may be of one or more series. Any bonds issued under the provisions of this chapter shall be secured by a trust agreement by and between the issuing municipality acting by and through an authority 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 or savings bank as provided in section sixty-six D of chapter one hundred and sixty-eight. Such trust agreement may pledge or assign the interest of the municipality acting by and through the authority as lessor, seller, mortgagee or lender under the financing document and may convey or mortgage any project or other property held thereunder or any part thereof. Such trust agreement shall contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the issuing municipality in relation to the construction, acquisition, equipping or improvement of any project or other property held under the financing document and the duties to be imposed on a user or other party with respect thereto, including the improvement, maintenance, operation, repair and insurance thereof, and the custody, safeguarding and application of all moneys and may contain provisions for the employment of consulting engineers and other experts and specialists in connection with such projects or property. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth or such savings bank, which may act as depository of the proceeds of the bonds or of revenues, to furnish such indemnifying bonds or to pledge such securities as may be required by the issuing municipality. Such trust agreement shall 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, such trust agreement may contain such other pro-

visions as the authority 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 an item of current expenses.

SECTION 2. Section 21 of chapter 168 of the General Laws is hereby amended by striking out paragraph 2, as amended by section 1 of chapter 75 of the acts of 1980, and inserting in place thereof the following paragraph:-

2. Exemptions from Limits.- The limitations of paragraph 1 of this section shall not apply to deposits of the following classes:- deposits by trustees or custodians appointed pursuant to the provisions of the Self-Employed Individuals Tax Retirement Act of 1962 (Public Law 87-792) or pursuant to the provisions of the Employee Retirement Income Security Act of 1974 (Public Law 93-406) or pursuant to the provisions of section 152 of the Revenue Act of 1978 (Public Law 95-600); deposits by trustees for the holders of any bonds issued by the Massachusetts Health and Educational Facilities Authority, pursuant to the provisions of chapter six hundred and fourteen of the acts of nineteen hundred and sixty-eight; deposits by trustees for the holders of any bonds issued by the Massachusetts Industrial Finance Agency, pursuant to the provisions of chapter twenty-three A, or by any industrial development finance authority of any city or town of the commonwealth, pursuant to the provisions of chapter forty D; deposits by the commonwealth or any city, town or county of the commonwealth or by any instrumentality thereof; deposits by a religious, charitable or educational corporation or organization, labor union, credit union, or fraternal society; deposits in the name of a judge of probate, or by order of any court; deposits of any trust fund held by a town for public uses; deposits of funds representing replacement reserves or similar accumulations required under the provisions of any mortgage held by such corporation and insured by the federal housing administrator, referred to in paragraph 11 of section thirty-five and in section fifty-one of chapter one hundred and sixty-seven; deposits of the funds of the Savings Banks Employees Retirement Association; deposits in such corporation acquired by any person or persons by inheritance or bequest; deposits of funds of or by a corporation, partnership, association or other business entity, provided that the deposit accounts of any such depositor shall not exceed three hundred thousand dollars; deposits of the funds of any private retirement or pension system or association, provided that the deposit accounts of any one such private system or association shall not, except by the accumulation of interest, be permitted to exceed, at any one time, three hundred thousand dollars or one and one-half per cent of the deposits of such savings bank, whichever is the greater; and deposits of

funds of any housing authority, referred to in sections three and five of chapter one hundred and twenty-one B; and deposits of any national banking association or trust company for the individual accounts established for all estates and trusts represented by it as trustee, executor, guardian or in any other fiduciary capacity.

SECTION 3. Said chapter 168 is hereby amended by inserting after section 66C the following section:-

Section 66D. Subject to such rules and regulations as the commissioner may prescribe, such corporation may act as trustee for the holders of any bonds issued by the Massachusetts Industrial Finance Agency, pursuant to the provisions of chapter twenty-three A or by any industrial development financing authority of any city or town pursuant to the provisions of chapter forty D or by the Massachusetts Health and Educational Facilities Authority, pursuant to the provisions of chapter six hundred and fourteen of the acts of nineteen hundred and sixty-eight. Such corporation for such purposes shall have and may exercise all of the powers necessary and incidental to permit it to act as such trustee; provided, however, that no funds held by such corporation as such trustee shall be invested otherwise than in savings bank deposits or other investments legal for savings banks, or any combination thereof, as may be prescribed or permitted by the instrument under which such corporation acts as trustee.

SECTION 4. Chapter 614 of the acts of 1968 is hereby amended by striking out section 11 and inserting in place thereof the following section:-

Section 11. Trust Agreement. - In the discretion of the authority any revenue bonds issued under the provisions of this act may be secured by a trust agreement by and between the authority and a corporate trustee or trustees, which may be any trust company or bank having the powers of a trust company or a savings bank as provided in section sixty-six D of chapter one hundred and sixty-eight within the commonwealth. Such trust agreement or the resolution providing for the issuance of such revenue bonds may pledge or assign the revenues to be received or proceeds of any contract or contracts pledged and may convey or mortgage the project or any portion thereof. Such trust agreement or resolution providing for the issuance of such revenue bonds 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 particularly such provisions as have hereinabove been specifically authorized to be included in any resolution or resolutions of the authority authorizing revenue bonds thereof. Any bank or trust company or such savings bank incorporated under the

laws of the commonwealth which may act as depository of the proceeds of bonds or of revenues or other moneys may furnish such indemnifying bonds or pledge such securities as may be required by the authority. Any such trust agreement may set forth the rights and remedies of the bondholders and of the trustee or trustees, 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 authority 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 a part of the cost of the operation of a project.

Approved June 11, 1980.

Chap. 269. AN ACT RELATIVE TO THE ANNUAL LISTING OF PERSONS RESIDING WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 51 of the General Laws, as appearing in section 1 of chapter 367 of the acts of 1977, is hereby amended by striking out, in line 10, the words "age or".

SECTION 2. The second paragraph of said section 4 of said chapter 51, as so appearing, is hereby amended by striking out, in line 6, the words "age or".

SECTION 3. The first sentence of section 10A of said chapter 51, as amended by section 1 of chapter 676 of the acts of 1977, is hereby further amended by inserting after the word "name", in line 8, the words:- and date of birth.

SECTION 4. The first paragraph of section 7 of said chapter 51, as appearing in section 2 of chapter 67 of the acts of 1955, is hereby amended by striking out, in line 8, the words "age or".

SECTION 5. The first sentence of section 4 of chapter 56 of the General Laws, as appearing in section 2 of chapter 676 of the acts of 1977, is hereby amended by striking out, in line 3, the words "his or her true name" and inserting in place thereof the words:- the information required by section four of chapter fifty-one.

Approved June 11, 1980.

Chap. 270. AN ACT AUTHORIZING THE TOWN OF PEMBROKE TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE 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 Pembroke may grant to Anderson's Wine & Cheese Shop, Inc. a license under the provisions of section fifteen of said chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except section seventeen.

Approved June 11, 1980.

Chap. 271. AN ACT AUTHORIZING THE TOWN OF PEMBROKE TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE 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 Pembroke may grant to Country Corner Store, Inc. a license under the provisions of section fifteen of said chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except section seventeen.

Approved June 11, 1980.

Chap. 272. AN ACT RELATIVE TO THE DISCLOSURE OF CERTAIN MEDICAL INFORMATION.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 12G, inserted by section 2 of chapter 335 of the acts of 1971, and inserting in place thereof the following section:-

Section 12G. The disclosure by a physician, hospital, nursing home or any other medical provider or by an agent of any of the foregoing information concerning the diagnosis, treatment, or condition of a patient in connection with the establishment of eligibility for, or entitlement to, benefits under chapters one hundred and fifteen, one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A, one hundred and eighteen D, one hundred and eighteen E or in connection with any reporting required by law under chapters ninety-four, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, or required by any other law, shall not constitute libel, slander, invasion of privacy, or otherwise be grounds for

any civil or criminal liability on the part of any such physician, hospital, nursing home or any other medical provider or by an agent of any of the foregoing who, without first obtaining consent from a patient or a patient's next of kin, discloses such information to any department, bureau or commission of the commonwealth or to any federal agency which, by law, requires such information or which provides health care benefits to eligible recipients who apply therefor.

Approved June 11, 1980.

Chap. 273. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO CHANGE THE DIVIDING LINES OF TWO WARDS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section two of chapter fifty-four of the General Laws, or any other provisions of the law to the contrary, the city of Marlborough is hereby authorized in the year nineteen hundred and eighty to redivide a portion of Ward II and Ward III of said city to include within Precinct II of said Ward II, a portion of Liberty street from Main street to Windsor street being the present ward bounds which have been abandoned, and to move said bounds line westerly to Windsor street; provided, however, that notwithstanding the provisions of section one of said chapter fifty-four, upon adoption, the city of Marlborough is further authorized to submit to the state secretary such plan relining said Ward II and said Ward III. Said relining shall be used for all elections in said city.

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

Approved June 13, 1980.

Chap. 274. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF KENNETH VIGNEAULT AS A POLICE OFFICER IN THE TOWN OF LUDLOW NOTWITHSTANDING ANY LIMITATION AS TO AGE.

Be it enacted, etc., as follows:

SECTION 1. The administrator of the division of personnel administration shall certify Kenneth Vigneault for appointment as a permanent intermittent police officer in the town of Ludlow according to the grade he received in the examination for police

officer held on October eleventh, nineteen hundred and seventy-five, notwithstanding the fact that he had attained the maximum age for said position, provided he fulfills all other requirements for certification as such police officer.

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

Approved June 13, 1980.

Chap. 275. AN ACT DIRECTING THE COUNTY TREASURER OF ESSEX COUNTY TO PAY FOR CERTAIN SERVICES FOR CERTAIN TEACHERS.

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 and directed to pay from any available funds to Edwina Bogosian, four hundred fifteen dollars and sixty cents, Janice Furlong, two hundred seven dollars and eighty-two cents, Cynthia Bragdon, four hundred fifteen dollars and sixty cents, Mary Milne, four hundred fifteen dollars and sixty cents, Barbara Callahan, four hundred fifteen dollars and sixty cents, Karen Kelley, two hundred seven dollars and eighty cents, Richard Cunney, three hundred and fifty dollars and to Helen Hegarty, three hundred and fifty dollars for their services which have been actually performed as teachers at Essex Agricultural and Technical Institute from September, nineteen hundred and seventy-eight to June, nineteen hundred and seventy-nine.

SECTION 2. No payment shall be made under the authority of this act until a certificate has been signed and filed with the said county treasurer, stating under the penalties of perjury that such services were rendered to said county.

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

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

Approved June 13, 1980.

Chap. 276. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO IMPLEMENT THE UNFUNDED PORTIONS OF A CERTAIN COLLECTIVE BARGAINING AGREEMENT BETWEEN THE INTERNATIONAL BROTHERHOOD OF CORRECTION OFFICERS AND THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The county treasurer of the county of Plymouth, with the approval of the county commissioners of said county, is hereby authorized to pay from any available funds the unfunded portions of the collective bargaining agreement between the county of Plymouth and the International Brotherhood of Correction Officers for the period from July first, nineteen hundred and seventy-eight through June thirtieth, nineteen hundred and eighty, in an amount not to exceed forty-nine thousand five hundred and fifty-three dollars.

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

Approved June 13, 1980.

Chap. 277. AN ACT DIRECTING THE COUNTY TREASURER OF ESSEX COUNTY TO PAY FOR CERTAIN SERVICES FOR CERTAIN TEACHERS.

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 and directed to pay from any available funds to William Clark, one hundred thirty-two dollars and forty-one cents, Joan Hoyt, five hundred thirty dollars and forty cents, Russell Small, eight hundred fifty-three dollars and ninety-two cents, and to Edward A. Ferguson, eight hundred sixty dollars and sixty-four cents for their services as teachers at Essex Agricultural and Technical Institute from September, nineteen hundred and seventy-seven to June, nineteen hundred and seventy-eight.

SECTION 2. No payment shall be made under the authority of this act unless and until a certificate has been signed and filed with the said county treasurer, stating under the penalties of perjury that such services were rendered to said county.

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

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

Approved June 13, 1980.

Chap. 278. AN ACT DESIGNATING A CERTAIN BUILDING LOCATED IN WILLIAM K. WEBB MEMORIAL PARK IN THE TOWN OF WEYMOUTH AS THE EDWARD T. HENLEY MEMORIAL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. The building situated in William K. Webb Memorial park in the town of Weymouth, presently known as the Weymouth Park and Recreation building, shall be designated and known as the Edward T. Henley Memorial building, in memory of Edward T. Henley a lifelong resident of the town of Weymouth, a prominent civic and fraternal leader in said town, and a former member of the Weymouth park commission. A suitable marker bearing such designation shall be erected and maintained on said building by the department of environmental management.

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

Approved June 13, 1980.

Chap. 279. AN ACT AUTHORIZING THE BOARD OF PUBLIC WORKS OF THE TOWN OF CARLISLE TO REFUND CERTAIN MONIES PAID FOR CEMETERY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The board of public works of the town of Carlisle is hereby authorized to refund monies paid by any person for the purchase of burial rights including perpetual care in Green cemetery in said town provided such person, his heirs or assigns, convey back to said town the burial rights, including perpetual care, so purchased.

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

Approved June 13, 1980.

Chap. 280. AN ACT INCREASING THE TIME IN WHICH REAL PROPERTY OWNED BY THE CENTRAL BERKSHIRE COUNTY DEVELOPMENT CORPORATION MAY BE EXEMPT FROM TAXATION BY THE CITY OR TOWN IN WHICH IT IS LOCATED.

Be it enacted, etc., as follows:

Chapter 712 of the acts of 1963 is hereby amended by striking out section 6, as amended by chapter 435 of the acts of 1972, and inserting in place thereof the following section:-

Section 6. The corporation shall not be subject to the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income. The securities and evidences of indebtedness issued by the corporation, and income therefrom, shall at all times be free from taxation by the commonwealth. Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until thirty years from the date of its acquisition or until such

property is leased, rented or otherwise disposed of, whichever is first.

Approved June 13, 1980.

Chap. 281. AN ACT RELATIVE TO DISTRIBUTION OF ACTS AND RESOLVES.

Be it enacted, etc., as follows:

Chapter 5 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 1A of chapter 613 of the acts of 1958, and inserting in place thereof the following section:-

Section 3. The state secretary shall determine the number of copies, not exceeding ten thousand, of said volume required to be printed each year and shall, immediately after their publication, distribute such copies as follows:

To the clerk of the senate, for the use of the senate, twelve;

To the counsel to the senate, twenty;

To the clerk of the house of representatives, for the use of the house, twenty-four;

To the counsel to the house of representatives, twenty;

To the legislative research bureau, four;

To each member of the general court, one; and upon written request of said member, an additional number, not exceeding ten;

To the state library, for use therein and for the purpose of exchange, one hundred;

To the governor, the lieutenant governor, the attorney general and his assistants, the senators and representatives in Congress from the commonwealth, the reporter of decisions, district attorneys, city and town clerks, county commissioners, county treasurers, registers of deeds, such free public libraries, academic and special libraries in the commonwealth as the state secretary may designate, county law libraries, all incorporated law libraries and branch libraries maintained by them, the justices of the supreme court of the United States, the judges and clerks of the United States circuit court of appeals and district court for the district of Massachusetts, all the justices and clerks of the various courts of the commonwealth, including masters in chancery, registers of deeds and probate, one each;

To such assistant clerks and assistant registers of deeds and probate, upon application in writing therefor, and a number sufficient to supply a copy for each courtroom where a session is held;

To the state secretary for distribution to such state departments, boards, commissions and agencies as in the opinion of the secretary require a copy for official use, an additional number not exceeding one hundred.

After making the foregoing distribution or making provision therefor, the state secretary may sell copies at such price per copy as shall be fixed by him in accordance with section one A.

Approved June 13, 1980.

Chap. 282. AN ACT DESIGNATING THE BRIDGE ON STATE HIGHWAY ROUTE 52 OVER MEMORIAL BEACH DRIVE IN THE TOWN OF WEBSTER AS THE JOSEPH A. PATENAUDE MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway Route 52 over Memorial Beach drive in the town of Webster shall be designated and known as the Joseph A. Patenaude Memorial Bridge, in memory of Joseph A. Patenaude, a former selectman of said town. The department of public works shall erect a suitable marker bearing said designation in compliance with standards of said department.

Approved June 13, 1980.

Chap. 283. AN ACT AUTHORIZING A SINGLE MEMBER OF THE INDUSTRIAL ACCIDENT BOARD TO ORDER CERTAIN MEDICAL PAYMENTS.

Be it enacted, etc., as follows:

Section 7 of chapter 152 of the General Laws, as most recently amended by chapter 483 of the acts of 1979, is hereby further amended by inserting after the word "compensation", in line 2, the words:- or the payment of hospital and medical bills.

Approved June 13, 1980.

Chap. 284. AN ACT DIRECTING THE CONSERVATION COMMISSION IN THE TOWN OF MANSFIELD TO TRANSFER CERTAIN PARCELS OF LAND IN SAID TOWN TO THE BOARD OF SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

The conservation commission of the town of Mansfield is hereby authorized and directed to transfer the care, custody and control to the board of selectmen of said town, certain parcels of land located within said town for the purpose of construction of two wells and for the purpose of providing access from the well sites to East street in said town. Said parcels are located on the land now under the control of said conservation commission as voted in accordance with Article 1 of a special town meeting

held on December twelfth, nineteen hundred and sixty-six. Said parcels are described as follows:

Parcel #1

A certain parcel of land on the northerly side of East Street (Route #106), Mansfield, Massachusetts, owned by the Mansfield Conservation Commission to be acquired for pipe installation and access to a future well site by the Town of Mansfield; Beginning at a point which is on the line dividing land of the Mansfield Conservation Commission and the Town of Mansfield approximately 700+ feet northerly of East Street (Route #106) and 20 feet east of and parallel to the easterly side of a Shell Oil Company easement; thence N 19-17-21 W 459.88 feet to a point; thence N 29-00-20 E 240.82 feet to a point; thence N 05-50-37 E 217.98 feet to a point; thence N 72-14-58 E 69.50 feet to a point on the proposed well site to be acquired by the Town of Mansfield, the last four courses by land of the Mansfield Conservation Commission; thence by a curve to the left having a length of 35.43 feet to a point on the proposed well site to be acquired by the Town of Mansfield; thence S 72-14-58W 31.04 feet to a point; thence S 05-50-37 W 204.50 feet to a point; thence S 29-00-20 W 233.52 feet to a point; thence S 19-17-21 E 455.31 to a point at land of the Town of Mansfield, the last five courses by land of the Mansfield Conservation Commission, thence S 87-12-45 W 31.29 feet by land of the Town of Mansfield to the point of beginning. Said parcel contains 0.66 acres and is shown as Parcel #1 on a plan by Freeman Engineering Company.

Parcel #2

A certain parcel of land in Mansfield, Massachusetts, owned by the Mansfield Conservation Commission, located northerly of East Street (Route #106) and westerly of the Canoe River, to be acquired by the Town of Mansfield for a well site; Beginning at the northerly side of easement to well site at land of the Mansfield Conservation Commission; thence by a curve to the right with a radius of 400.00 feet and a length of 546.41 feet by land of the Mansfield Conservation Commission to land of Jess Realty Trust; thence S 03-25-35 W 134.65 feet by land of Jess Realty Trust to land formerly of Herbert Spaulding Dunbar and Francis Spaulding Dunbar to a point; thence N 83-19-24 W 293.70 feet by land of said Dunbar and Dunbar to a point; thence S 03-25-36 W 566.39 feet by land of said Dunbar and Dunbar to a point; thence By a curve to the right with a radius of 400.00 feet and a length of 410.67 feet by land of the Mansfield Conservation Commission to the point of beginning. Said parcel contains 3.47 acres and is shown as Parcel #2 on a plan by Freeman Engineering Company.

Parcel #4

A certain parcel of land on the northerly side of East Street (Route #106) and westerly of the Canoe River owned by the

Mansfield Conservation Commission to be acquired for an easement for pipe installation and access between future well sites by the Town of Mansfield; Beginning at the southwesterly corner of easement at a point of a proposed well site; thence N 12-32-28 W 426.73 feet to a point on another proposed well site; thence By a curve to the left with a radius of 400.00 feet and a length of 31.68 feet to a point; thence S 12-32-28 E 426.85 feet to a point on the first mentioned well site; thence By a curve to the left with a radius of 400.00 feet and a length of 31.64 feet to the point of beginning. All courses are by land of the Mansfield Conservation Commission. Said easement contains 0.29 acres and is shown as parcel #4 on a plan by Freeman Engineering.

Parcel #5

A certain parcel of land on the northerly side of East Street (Route #106) and westerly of the Canoe River in Mansfield, Massachusetts, owned by the Mansfield Conservation Commission, to be acquired by the Town of Mansfield for a future well site; Beginning at the northwesterly corner of easement between the proposed well sites; thence By a curve to the right with a radius of 400.00 feet, a full circle with a length of 1256.64 feet to the point of beginning. Said parcel contains 11.54 acres and is shown as parcel #5 on a plan by Freeman Engineering Company.

Parcel #9

A certain parcel of land on the northerly side of East Street (Route #106) and westerly of the Canoe River in Mansfield, Massachusetts, owned by the Mansfield Conservation Commission, and to be acquired by the Town of Mansfield for a future well site; Beginning at the northwesterly corner on the southerly line of land, owner unknown, formerly Francis Spaulding Dunbar and Herbert Spaulding Dunbar near the Canoe River; thence By a curve to the right with a radius of 400.00 feet and a length of 663.17 feet by land of the Mansfield Conservation Commission to a point on land, owner unknown, formerly Herbert Spaulding Dunbar and Francis Spaulding Dunbar; thence N 72-15-36 E 589.79 feet by said Dunbar and Dunbar land and other land of Francis Spaulding Dunbar and Herbert Spaulding Dunbar to the point of beginning. Said parcel contains 1.22 acres and is shown as Parcel #9 on a plan by Freeman Engineering Company.

Parcel #10

A certain parcel of land in Mansfield, Massachusetts, owned by the Mansfield Conservation Commission, located on the Canoe River westerly of Pine Needle Lane to be acquired by the Town of Mansfield for a well site; Beginning at a point which is the northwesterly corner of land of Martin E. and Eileen A. Murray at the center of the Canoe River; thence N 62-35-52 E 36.02 feet by said Murray land to a point; thence by a curve to the left with a radius of 400.00 feet and a length of 98.13 feet by land

of the Mansfield Conservation Commission to a point in the center of the Canoe River at land of Jess Realty Trust; thence southerly by the center of the Canoe River 108+ feet to the point of beginning. Said parcel contains 0.04 acres and is shown as Parcel #10 on a plan of land by Freeman Engineering Company.

Approved June 13, 1980.

Chap. 285. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO APPROPRIATE A CERTAIN SUM OF MONEY FOR THE PURPOSE OF PURCHASING A MEMORIAL PLAQUE FOR THE ARTHUR SIRRICO MEMORIAL PLAYGROUND.

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 a sum of two hundred and fifty dollars for the payment of, and after such appropriation, the treasurer of said town is hereby authorized to pay for the purchase of a memorial plaque for the Arthur Sirrico Memorial Playground.

Approved June 13, 1980.

Chap. 286. AN ACT EXEMPTING THE POSITION OF CUSTODIAN IN THE TOWN HALL IN THE TOWN OF WEST SPRINGFIELD FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of custodian in the town hall in the town of West Springfield shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The state secretary shall cause the following question to be placed upon the official ballot to be used at the biennial state election to be held in the year nineteen hundred and eighty in the town of West Springfield:- "Shall an act passed by the General Court in the year nineteen hundred and eighty, entitled 'An Act exempting the position of custodian in the town hall in the town of West Springfield 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, section one of this act shall thereupon take full effect, but not otherwise.

Approved June 13, 1980.

Chap. 287. AN ACT FURTHER REGULATING CERTAIN PROCEDURES OF THE RATE SETTING COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to immediately encourage and expand philanthropic support for health care for the citizens of the commonwealth and to recognize the authority and responsibility of the members of boards of trustees of each hospital as the sole stewards of such funds, therefore, it is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

Chapter 6A of the General Laws is hereby amended by adding the following two sections:-

Section 47. As used in this section, the following words shall have the following meanings:

"Unrestricted gifts", all gifts, grants, contributions, and bequests upon which there are no restrictions imposed by the donor.

"Unrestricted income from endowment funds", income earned on investment of endowment funds which have no restrictions on income.

"Income and gains from investment of unrestricted funds", interest dividends, rents or other income on investments, including net gains or losses resulting from investment transactions.

"Term endowment", funds available upon termination of restrictions.

Section 48. The commission, in carrying out its duties as set forth in sections thirty-one to forty, inclusive, in relation to its review and approval of hospital budgets and charges, in the establishment of rates of payment by governmental units, or in its certification of rates of payment to the industrial accident board, shall not, in any computation involving such actions, consider the following as resources of such hospital: restricted and unrestricted grants, gifts, contributions, bequests, fund principle and endowment balances, and all income therefrom.

Approved June 13, 1980.

Chap. 288. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO REIMBURSE CLIFTON C. JOHNSON, FORMER DIRECTOR OF THE PLYMOUTH MANPOWER CONSORTIUM, FOR CERTAIN LEGAL EXPENSES INCURRED BY HIM.

Be it enacted, etc., as follows:

SECTION 1. The town of Plymouth is hereby authorized to raise and appropriate and the treasurer of said town is hereby authorized to pay, or to pay from any available funds the sum of ten thousand six hundred dollars to Clifton C. Johnson, former director of the Plymouth Manpower Consortium, as reimbursement

for legal expenses incurred by him in the defense of a criminal indictment against him, which defense resulted in a finding of not guilty.

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

Approved June 16, 1980.

Chap. 289. AN ACT DESIGNATING THE UNIVERSITY OF LOWELL ICE HOCKEY RINK IN THE TOWN OF BILLERICA AS THE JOE TULLY FORUM.

Be it enacted, etc., as follows:

The University of Lowell ice hockey rink in the town of Billerica shall, upon its acquisition be designated and known as the Joe Tully Forum in honor of B. Joseph Tully, a resident of the town of Dracut and former senator in the Massachusetts senate. A suitable marker bearing said designation shall be attached at the entrance thereof by the board of trustees of said university.

Approved June 16, 1980.

Chap. 290. AN ACT ESTABLISHING THE HANSCOM FIELD ADVISORY COMMISSION AT LAURENCE G. HANSCOM FIELD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any special or general law to the contrary, the Hanscom Field advisory committee, created by an executive order on July eighteenth, nineteen hundred and seventy-four, to review existing and projected activities at the Laurence G. Hanscom Field, hereinafter referred to as Hanscom Field, and to work closely with the Massachusetts Port Authority is hereby established as the Hanscom Field advisory commission, hereinafter referred to as the commission.

The commission shall consist of a representative from the four towns of Bedford, Concord, Lexington, and Lincoln, each representative to be appointed by the selectmen of their respective town. All other representatives on the commission shall be appointed by a majority of the boards of selectmen in said four towns. Two such representatives shall be appointed from each of the following categories: (1) local citizen groups concerned with problems related to aviation and transportation; (2) area-wide organizations concerned with the environment, transportation planning, aircraft noise and land use and development; (3) other area towns impacted by aviation at Hanscom Field; (4) businesses basing aircraft at Hanscom Field; and (5) aviation or aviation-related businesses at Hanscom Field. In addition thereto, there shall be appointed in the same manner, one rep-

resentative from a business-aviation organization and one from a general aviation organization both of whom shall be a regular user or employee of a regular user of Hanscom Field.

One-third of the commission members shall be initially appointed to serve for terms of one year, one-third for terms of two years, and one-third for terms of three years, and each member shall be appointed thereafter for a term of three years. Each commission member shall serve until the qualification of his or her successor, and vacancies shall be filled for an unexpired term by the appointing authorities. Any appointive member shall be eligible for re-appointment. The chairman shall be a resident of one of the four towns abutting Hanscom Field and shall be chosen annually by vote of the members. All members of said commission shall serve without compensation. Legislators representing the said towns shall serve as advisory members of the commission. Members of other towns or organizations having an interest in Hanscom Field may serve in an advisory capacity.

SECTION 2. The Hanscom Field advisory commission shall have the following duties: (1) to act as an advisory commission for review and reaction with regard to decisions relating to Hanscom Field and the Hanscom Field area, including but not limited to, land use, noise abatement and transportation needs as outlined in the Hanscom Field master plan; (2) to provide continued communication between the communities surrounding Hanscom Field and the Massachusetts Port Authority; and (3) to establish an executive committee of members within the commission.

Approved June 16, 1980.

Chap. 291. AN ACT FURTHER REGULATING THE USE OF DRUGS.

Be it enacted, etc., as follows:

Section 12D of chapter 112 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 2 of chapter 470 of the acts of 1976, and inserting in place thereof the following paragraph:-

Every prescription written in the commonwealth by a practitioner shall be on prescription forms approved by the department containing two lines for the practitioner's signature. Alongside the first line shall be clearly printed the word "interchange". Alongside the second signature line shall be clearly printed the words "dispense as written". The practitioner by placing his signature on the appropriate signature line shall indicate his dispensing instructions to the pharmacist.

Approved June 16, 1980.

Chap. 292. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. In the city of Fall River any holder of an elective office, mayor, city councillor, school committee member, may be recalled therefrom by the registered voters of the city as herein provided.

SECTION 2. Any ten registered voters of the city may file with the city clerk an affidavit containing the name of the officer or officers sought to be recalled and a statement of the grounds for recall. The city clerk shall thereupon deliver to said voters making the affidavit copies of petition blanks demanding such recall, printed forms of which he shall keep available. Said blanks shall be issued by the city clerk with his signature and official seal attached thereto. Said blanks shall be dated and addressed to the city council, and shall contain the names of the ten persons to whom they are issued, the name of the person whose recall is sought, the grounds of recall as stated in the affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the city clerk. The recall petition shall be returned and filed with the city clerk within twenty days after the filing of the affidavit and shall have been signed by at least five per cent of the registered voters of the city who shall add to their signatures the street and number of their residences.

The city clerk shall submit the petition to the election commissioners in the city and the commissioners shall forthwith certify thereon the number of signatures which are names of registered voters of the city.

SECTION 3. If the petition shall be found and certified by the city clerk to be sufficient, he shall submit the same with his certificate to the city council without delay, and said city council shall forthwith give written notice of the receipt of the certificate to the officer or officers sought to be recalled, and shall, if the officer or officers does not resign within five days thereafter, thereupon order a recall election to be held on a Tuesday fixed by said city council not more than sixty days after the date of the city clerk's certificate that a sufficient petition is filed; provided, however, that if any other city election is to occur within sixty days after the date of the certificate, the city clerk shall postpone the holding of said recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this act.

SECTION 4. The question of recalling any number of officers may be submitted at the same election. For each officer whose

recall is sought there shall be a separate ballot. The nomination of candidates to succeed an officer whose recall is sought, the publication of the warrant for said recall election, and the conduct of such election, shall all be in accordance with the provisions of the General Laws.

SECTION 5. No person who has been recalled from an office, or who has resigned from office while recall proceedings were pending against him, shall be appointed to any office within two years after such recall or such resignation.

SECTION 6. The incumbent shall continue to perform the duties of his office until the recall election. If then reelected, he shall continue in office for the remainder of his unexpired term, subject to recall as before. If not reelected in the recall election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within thirty days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

SECTION 7. Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer)

Against the recall of (name of officer)

Immediately at the right of each proposition there shall be a square in which the voter, by making a cross mark (X) may vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote for one" and beneath this the names of candidates nominated as hereinbefore provided. The ballots used in a recall election shall be substantially in the following form:

RECALL ELECTION

(Month and day of month and year)

FOR THE RECALL OF (name in full),	
AGAINST THE RECALL OF (name in full),	

CANDIDATES

Vote for one.

(Name of candidate.)	

SECTION 8. No recall petition shall be filed against an officer within three months after he takes office, nor in the case of an officer subjected to a recall election and not removed thereby, until at least nine months after that election.

SECTION 9. This act shall be submitted for acceptance to the voters of the city of Fall River at the city election to be held in the year nineteen hundred and eighty-one in the form of the following question which shall be placed on the official ballot to be used for the election of city offices: "Shall an act passed by the General Court in the year nineteen hundred and eighty entitled, 'An Act providing for recall elections in the city of Fall River', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved June 16, 1980.

Chap. 293. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO DETERMINE THE FEASIBILITY OF RENOVATING THE EXISTING JAIL AND HOUSE OF CORRECTION IN SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 126 of the acts of 1979 is hereby amended by inserting after the first sentence the following sentence:- Said county commissioners may also conduct a feasibility study for the renovation and rehabilitation of the existing jail and house of correction in the city of Pittsfield for its continued use as a correctional facility for said county.

Approved June 16, 1980.

Chap. 294. AN ACT RELATIVE TO SALES AND ASSIGNMENTS OF LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 27 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out, in line 10, the word "five" and inserting in place thereof the word:- ten.

Approved June 16, 1980.

Chap. 295. AN ACT RELATIVE TO TERM DEPOSITS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Provision 1 of subsection 3B of section 13 of chapter 170 of the General Laws is hereby further amended by striking out clause (b), as most recently amended by section 2 of chapter 360 of the acts of 1979, and inserting in place thereof the following clause:-

(b) the minimum amount, if any, 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.

Approved June 16, 1980.

Chap. 296. AN ACT EXEMPTING THE POSITION OF DOG OFFICER OF THE TOWN OF RANDOLPH FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of dog officer in the town of Randolph 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 the position of dog officer of the town of Randolph on the effective date of this act.

Approved June 16, 1980.

Chap. 297. AN ACT EXEMPTING THE POSITION OF EXECUTIVE DIRECTOR ON THE COUNCIL ON AGING OF THE TOWN OF RANDOLPH FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of executive director of the council on aging of the town of Randolph 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 the position of executive director of the council on aging in the town of Randolph on the effective date of this act.

Approved June 16, 1980.

Chap. 298. AN ACT EXEMPTING THE POSITION OF DIRECTOR OF PUBLIC HEALTH OF THE TOWN OF RANDOLPH FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of director of public health of the town of Randolph 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 the position of director of public health of the town of Randolph on the effective date of this act.

Approved June 16, 1980.

Chap. 299. AN ACT EXEMPTING THE POSITION OF TREE WARDEN OF THE TOWN OF RANDOLPH FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of tree warden of the town of Randolph shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one of this act shall not impair the civil service status of any person employed in the position of tree warden of the town of Randolph on the effective date of this act.

Approved June 16, 1980.

Chap. 300. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and thirty-nine of chapter one hundred and forty of the General Laws or any other provision of law to the contrary, the annual fees to be charged by the city of Cambridge for the issuance of licenses for dogs shall be as follows: unspayed females and unneutered males - ten dollars, spayed females and neutered males - two dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other provision of law to the contrary, all money received for licenses or from the sale of dog licenses by the city of Cambridge, or recovered as fines or penalties by said city under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said city of Cambridge and shall not thereafter be paid over by the city treasurer to the county of Middlesex.

SECTION 3. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other provision of law to the contrary, the registering, numbering, describing and licensing of dogs, if kept in said city, shall be conducted in the office of the animal commission of said city.

SECTION 4. Notwithstanding any provision of law to the contrary, any animal pound, as defined in section one of chapter forty-nine A of the General Laws which is located in said city, is hereby exempt from the provisions of section three of said chapter forty-nine A, and no such animal pound located in said city shall be permitted to deliver from its available impounded animals, any animal to a licensee as defined in said section one of said chapter forty-nine A for the purpose of scientific investigation, experimentation, instruction, or testing of drugs or medicine.

Approved June 16, 1980.

Chap. 301. AN ACT PROHIBITING EMPLOYERS OR OTHER PERSONS FROM ACCEPTING OR RETAINING TIPS, GRATUITIES OR SERVICE CHARGES PAID DIRECTLY TO OR FOR EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 152A, as amended by chapter 350 of the acts of 1966, and inserting in place thereof the following section:-

Section 152A. No employer or other person shall solicit, demand, request or accept from any employee engaged in the serving of food or beverage any payment of any nature from tips or gratuities received by such employee during the course of his employment, or from wages earned by such employee or retain for himself any tips or gratuities given directly to the employer for the benefit of the employee, as a condition of employment; and no contract or agreement between an employer or other person and an employee providing for either of such payments shall afford any basis for the granting of legal or equitable relief by any court against a party to such contract or agreement. If an employer or other person submits a bill or invoice indicating a service charge, such a bill shall clearly state the services rendered for such charges and the amount of such charge paid as a tip or gratuity. Whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars and the court may require such employer or other person to make restitution for any tips or gratuities accepted or retained by him in violation of this section.

Approved June 16, 1980.

Chap. 302. AN ACT AUTHORIZING CREDIT UNIONS TO MAKE A LOAN ON ONE SIGNATURE.

Be it enacted, etc., as follows:

Section 24 of chapter 171 of the General Laws is hereby amended by striking out subdivision (A), as most recently amended by section 3 of chapter 57 of the acts of 1978, and inserting in place thereof the following subdivision:-

(A) PERSONAL LOANS.

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 two, 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.

The maximum amount of a loan or loans made to a member in excess of his shares and deposits, and in excess of the shares and deposits of the co-maker, if any, pledged to secure the same shall be limited as follows except that where satisfactory collateral is pledged additional loans may be made under the provisions of paragraphs 1, 2 and 3:

1. A credit union may make loans to an amount not exceeding four thousand dollars, and if the assets of such credit union are more than five hundred thousand dollars, to an amount not exceeding five thousand dollars, if evidenced by the unendorsed and unsecured note of the borrower.

2. To an amount not exceeding five thousand dollars, if evidenced by the note of the borrower and with sufficient collateral pledged to secure the same made up of bonds or notes of the United States, or of any state or subdivision thereof, which are legal investments for savings banks, or credit unions, in this commonwealth valued at not more than eighty per cent of their market value, or by the assignment of the passbook of a depositor in a savings bank doing business in any of the New England states or in a trust company or national banking association doing business in this commonwealth, or the savings share account book of a co-operative bank incorporated in this commonwealth or the unpledged shares thereof represented by passbooks or certificates, or the passbook of a shareholder in a federal savings and loan association doing business in this commonwealth, or policies issued by life insurance companies authorized to transact business in this commonwealth, valued at not more than their cash surrender value. In addition to the authority given herein, a credit union having assets of five hundred thousand dollars or more may lend an amount not in excess of two per cent of its assets or fifty thousand dollars, whichever is the lesser, upon said collateral and may also secure such notes by taking as collateral therefor the readily marketable common or

preferred stocks of corporations listed on a stock exchange which is subject to regulation by the securities and exchange commission, valued at not more than eighty per cent of their market value.

3. A credit union having assets of less than one hundred thousand dollars may make loans evidenced by the note of the borrower and secured by a pledge or security interest in satisfactory collateral valued at not more than eighty per cent of its market value, in amounts not exceeding three thousand, five hundred dollars; and a credit union having assets of more than one hundred thousand dollars may make loans evidenced by a pledge or security interest in satisfactory collateral valued at not more than eighty per cent of its market value, in amounts not exceeding five thousand dollars or one per cent of assets, whichever is greater; provided, however, that a loan based on one per cent of assets shall not exceed sixteen thousand dollars. Each such loan made under this paragraph shall be payable within sixty months from the date of the note.

4. Such credit union shall, upon application by a depositor or shareholder or by either of two joint depositors or shareholders therein, make a loan to him, secured by his passbook in an amount not exceeding said deposit or share account for a time not extending beyond the end of the dividend period in which the loan was made. Said credit union may charge the depositor or shareholder interest for, or may collect discount in advance upon, the loan at a rate not exceeding one per cent more than the rate of the next preceding ordinary dividend of said credit union, and if an extra dividend shall have been paid therewith, not exceeding one per cent more than the combined rates of such ordinary and extra dividends; provided, that a minimum of one dollar may be charged or collected as such interest or discount in the case of any such loan. The credit union shall keep posted in a conspicuous place in its banking quarters a notice containing the substance of this section, in such form as the commissioner may prescribe.

5. Such credit union may, upon application by a shareholder or depositor or by either of two joint shareholders or depositors in a special notice account, make a loan to him, secured by his share or deposit passbook, in an amount not exceeding said share or deposit balance, for a time not extending beyond the end of the dividend period in which the loan was made or ninety days from the day on which the loan was made, whichever is longer. Said credit union shall charge the shareholder or depositor interest for, or collect discount in advance upon, such loan at a rate not less than two per cent per annum more than the combined rates of the next preceding ordinary dividend of such credit union and the additional dividend then paid therewith on special notice accounts.

For the purposes of this section, an assignment of wages or a payroll deduction order may be received as satisfactory collateral for any loan not in excess of one thousand dollars.

Approved June 16, 1980.

Chap. 303. AN ACT RELATIVE TO CERTAIN CONDUCT OF STATE EMPLOYEES.

Be it enacted, etc., as follows:

Section 7 of chapter 268A of the General Laws, as most recently amended by section 11 of chapter 210 of the acts of 1978, is hereby further amended by inserting after the fourth paragraph the following paragraph:-

This section shall not prohibit a state employee from teaching in an educational institution of the commonwealth; provided, that such employee does not participate in, or have official responsibility for, the financial management of such educational institution; and provided, further, that such employee is so employed on a part-time basis. Such employee may be compensated for such services, notwithstanding the provisions of section twenty-one of chapter thirty.

Approved June 16, 1980.

Chap. 304. AN ACT REQUIRING CERTIFICATION BY THE DEPARTMENT OF PUBLIC SAFETY OF CERTAIN FIRE FIGHTING UNITS.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by inserting after section 44 the following section:-

Section 44A. No city or town shall contract with any private fire fighting unit to operate within said city or town unless said unit has been certified by the department of public safety.

Approved June 16, 1980.

Chap. 305. AN ACT AUTHORIZING THE CITY OF GARDNER TO PAY A CERTAIN SUM OF MONEY TO THE BOSTON AND MAINE CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The city of Gardner is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay to the Boston and Maine Corporation, a corporation organized under the law of the state of Delaware, an unpaid bill incurred

by said city in the amount of eight hundred thirty-two dollars and seventy-three cents, which bill is legally unenforceable against said city.

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

Approved June 16, 1980.

Chap. 306. AN ACT EXEMPTING CERTAIN POSITIONS IN THE TOWN OF SUDBURY FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The positions of plumbing inspector, gas inspector and sealer of weights and measures in the town of Sudbury 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 plumbing inspector, gas inspector or sealer of weights and measures in the town of Sudbury holding civil service status on the effective date of this act.

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

Approved June 19, 1980.

Chap. 307. AN ACT PROVIDING THAT THE OFFICE OF CHIEF ENGINEER OF THE FIRE DEPARTMENT OF THE CITY OF MARLBOROUGH BE EXEMPT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of chief engineer of the fire department of the city of Marlborough 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 employed in the position of chief engineer in the fire department of the said city of Marlborough on the effective date of this act.

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

Approved June 19, 1980.

Chap. 308. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO ROY S. WILLIAMS.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to appropriate, and after such appropriation, the treasurer of said town is authorized to pay, the sum of sixty-six dollars and thirty cents to Roy S. Williams, assistant dog officer of said town, for compensation due him in the fiscal year nineteen hundred and seventy-nine.

SECTION 2. The action taken by the town of Wareham under Article 22 of the warrant for the annual town meeting of said town held on April twenty-eighth, nineteen hundred and eighty 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 June 19, 1980.

Chap. 309. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO APPROPRIATE AND PAY A SUM OF MONEY AS A COST OF LIVING INCREASE TO CERTAIN PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to appropriate the sum of one thousand nine hundred ninety-three dollars and ninety cents and after such appropriation the treasurer of said town is authorized to pay Donald Corwin the sum of three hundred eighty-four dollars and seventy cents, Morris Guilbert the sum of forty-one dollars and thirty-eight cents, William Rand the sum of six hundred sixty-two dollars and eight cents, Marcia Wenzel the sum of three hundred nine dollars and fifteen cents, Douglas Reichwein the sum of one hundred and nine dollars and nine cents, and William Barlow the sum of four hundred eighty-seven dollars and fifty cents, as cost of living pay increases for the period commencing on October first, nineteen hundred and seventy-eight and ending November sixteenth, nineteen hundred and seventy-nine as they were Comprehensive Employment Training Act employees in said town.

SECTION 2. The action taken by the town of Wareham under the provisions of Article 54 of the warrant for the annual town meeting of said town held on April twenty-eighth, nineteen hundred and eighty 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 3. This act shall take effect upon its passage.

Approved June 19, 1980.

Chap. 310. AN ACT AUTHORIZING THE TOWN OF COHASSET TO CONSTRUCT OR RECONSTRUCT A CERTAIN PRIVATE WAY IN SAID TOWN AND TO APPROPRIATE A SUM OF MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the town of Cohasset is hereby authorized to construct or reconstruct Margin Court, a private way in said town, and to appropriate a sum of money therefor.

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

Approved June 19, 1980.

Chap. 311. AN ACT INCREASING THE AMOUNT OF MONEY THAT THE COUNTY COMMISSIONERS OF WORCESTER COUNTY MAY EXPEND FOR THE PURPOSE OF ADVERTISING THE RECREATIONAL, CULTURAL, HISTORICAL AND SCENIC ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

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

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

them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

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

Approved June 19, 1980.

Chap. 312. AN ACT RELATIVE TO THE INSTALLATION OF WATER LINES IN COMMERCIAL AND INDUSTRIAL BUSINESS ZONES IN THE TOWN OF DANVERS.

Be it enacted, etc., as follows:

SECTION 1. The town of Danvers may vote to authorize the water and sewer commissioners of said town, at the request of the owner of land which has been zoned for industrial or commercial purposes, to assess all or a portion of the total cost for the installation or replacement of water mains, lines, conduits and other works to provide adequate water supply, to service such land and buildings thereon. Said assessments may be made in the same manner provided for sewer assessments under the provisions of chapter two hundred and twenty-nine of the special acts of nineteen hundred and sixteen and in force on the effective date of this act.

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

Approved June 19, 1980.

Chap. 313. AN ACT RELATIVE TO NOTIFICATION TO ASSESSORS IN CITIES AND TOWNS AS TO RECEIPTS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 54A, as most recently amended by section 1 of chapter 52 of the acts of 1973, and inserting in place thereof the following section:-

Section 54A. The auditor or similar officer in cities and the town accountant, if any, otherwise the town treasurer in towns, shall notify the assessors, not later than August first in each year, of the total receipts of the preceding fiscal year, except from taxes, loans and trust funds, and shall specify in detail the source of such receipts.

Approved June 19, 1980.

Chap. 314. AN ACT RELATIVE TO CERTAIN ADVERTISEMENTS IN A LANGUAGE OTHER THAN ENGLISH

MADE BY FINANCIAL INSTITUTIONS AND CREDITORS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by adding the following section:-

Section 70. Any advertisement, within the commonwealth, in a language other than english made by a bank, a national banking association, savings or loan association or a federally chartered credit union authorized to do business in the commonwealth or a creditor to aid, promote or assist directly or indirectly any deposit or credit account offered by such bank, national banking association, savings and loan association, federal credit union or creditor shall state in such other language what language the forms associated with the opening and maintenance of such account are in.

For the purposes of this section, "advertisement" and "creditor" shall mean an advertisement and creditor as defined in section one of chapter one hundred and forty C.

Approved June 19, 1980.

Chap. 315. AN ACT PROVIDING CIVIL IMMUNITY FOR REGIONAL HEALTH DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 258 of the General Laws, as appearing in section 15 of chapter 512 of the acts of 1978, is hereby amended by striking out the definition of "Public employer" and inserting in place thereof the following definition:-

"Public employer", the commonwealth and any county, city, town or district, including any public health district or joint district or regional health district or regional health board established pursuant to the provisions of section twenty-seven A or twenty-seven B of chapter one hundred and eleven, and any department, office, commission, committee, council, board, division, bureau, institution or agency thereof which exercises direction and control over the public employee, but not a private contractor with any such public employer, the Massachusetts Bay Transportation Authority, the Massachusetts Port Authority, the Massachusetts Turnpike Authority, or any other independent body politic and corporate.

SECTION 2. Section 9 of said chapter 258, as so appearing, is hereby amended by adding the following paragraph:-

For purposes of this section, persons employed by a joint health district, regional health district or regional board of health, as defined by sections twenty-seven A and twenty-seven

B of chapter one hundred and eleven, shall be considered employees of the city or town in which said incident, claim, suit, or judgment is brought pursuant to the provisions of this chapter.

Approved June 19, 1980.

Chap. 316. AN ACT RELATIVE TO RETIREMENT BOARDS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Paragraph (b) of subdivision (4) of section 20 of chapter 32 of the General Laws, as most recently amended by section 3 of chapter 523 of the acts of 1978, is hereby further amended by adding the following sentence:- The mayor of a city, the board of selectmen of a town or the manager of a municipality having a town council form of government shall notify in writing all heads of departments of such city or town of any such vacancy in said board to be filled by election, and a notice of such vacancy and election shall be posted in a conspicuous place in such city or town.

Approved June 19, 1980.

Chap. 317. AN ACT RELATIVE TO THE LIABILITY OF PERSONS WHO CONDUCT CERTAIN RACES AND REGATTAS.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85Q the following section:-

Section 85R. Any person who, in good faith, renders emergency aid to any other person who is injured while a participant or spectator at a boat race or regatta, shall not be liable for any alleged damages arising from such injury or the emergency aid so rendered therefor.

Approved June 19, 1980.

Chap. 318. AN ACT RELATIVE TO THE PUBLICATION OF CERTAIN NOTICES.

Be it enacted, etc., as follows:

SECTION 1. Section 15A of chapter 138 of the General Laws, as most recently amended by section 2 of chapter 477 of the acts of 1971, is hereby further amended by striking out the first paragraph and inserting in place thereof the following para-

graph:-

All applications for an original license under sections twelve and fifteen shall be made on a form or forms to be prescribed by the commission and shall include a sworn statement by the applicant giving the names and addresses of all persons who have a direct or indirect beneficial interest in said license. No stock in a corporation holding a license to sell alcoholic beverages shall be transferred, pledged, or issued without first obtaining the permission of the local licensing authorities and the commission. Provisions of this section shall not apply to stockholders of a corporation whose stock is listed for sale to the general public with the Securities and Exchange Commission and who hold less than ten per cent of the outstanding stock entitled to vote at the annual meeting of said corporation. Notation of the date and hour of filing shall be made on every application. Within ten days after receipt of any such application, the local licensing authorities shall cause a notice thereof to be published at the expense of the applicant. Such notice shall be published in the city or town wherein the license is intended to be exercised or, if no newspaper is published in such city or town, in a newspaper providing general circulation in such city or town, or if there is no newspaper providing general circulation in such city or town, then in a daily newspaper published in the county wherein such license is intended to be exercised. After such publication the name of the newspaper publishing such notice shall be noted by the local licensing authorities on the application for a license. The notice shall set forth the name of the applicant in full, the kind of license applied for, a description of the location and area where the license is intended to be exercised, designating, if practicable, the street and number. No application shall be acted upon by the local licensing authorities except after hearing thereon which shall be held not sooner than ten calendar days after the publication of such notice. An affidavit of the person making such publication on behalf of such authorities, together with an attested copy of the notice published, shall be filed in the office of such authorities, and a certified copy of such affidavit shall be prima facie evidence that such notice has been published in accordance with this section. Where there are no premises actually in existence at the time the application is made, the applicant may file with the local licensing authorities a plan showing the actual dimensions of premises which are to be constructed on which the license is to be exercised. The local licensing authorities may thereafter grant a license upon the condition that such license shall issue upon completion of such premises according to said plan, and the decision of the licensing authorities as to whether or not said plan has been complied with shall be final.

SECTION 2. Section 14 of chapter 244 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 629 of the acts of 1977, and inserting in place thereof the following paragraph:-

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 or in a newspaper with general circulation 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. If no newspaper is published in such town, or if there is no newspaper with general circulation in the town where the land lies, notice may be published in a newspaper published in the county where the land lies, and this provision shall be implied in every power of sale mortgage in which it is not expressly set forth. A newspaper which by its title page purports to be printed or published in such town, city or county, and having a circulation therein, shall be sufficient for the purpose.

Approved June 19, 1980.

Chap. 319. AN ACT RELATIVE TO CREMATION OF BODIES OF PERSONS DYING OUT OF STATE.

Be it enacted, etc., as follows:

Section 44 of chapter 114 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- If the death occurs without the commonwealth, the medical examiner's certificate may be provided by a medical examiner or similarly authorized person in whose jurisdiction said death occurred or the reception and cremation of the body of a deceased person shall be governed by a by-law or regulation made or approved by the department of public health as provided in section nine.

Approved June 19, 1980.

Chap. 320. AN ACT ESTABLISHING THE ASHFIELD SEWER DISTRICT IN THE TOWN OF ASHFIELD.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Ashfield, 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 northeasterly line of Buckland Road and the easterly line of Route 112; thence southeasterly in a straight line to a point at the northeast corner of the property known as the Plain Cemetery and at land of Walter A. Whitney, Jr.; thence southeasterly in a straight line to a point at the northeasterly corner of the land of Frank C. Guditis and Beverly Guditis around the easterly line of said property to the southeasterly corner of said property; thence westerly in a straight line to a point on Norton Hill Road, formerly known as Spruce Corner Road, at the intersection of land of Carrolle Markle and George H. Bennett and Shirley Bennett; thence northwesterly in a straight line to the intersection of the southerly line of Ashfield Main Street (Route 116) and the easterly line of Route 112; and thence northerly to the point of beginning,- shall constitute a sewer district and are hereby made a body corporate by the name of the Ashfield sewer district, hereinafter called the district, for the purpose of laying out, constructing, maintaining and operating a system or systems of main drains and common sewers for a part or whole of the territory herein described, with such connections and other works as may be required for a system of sewerage disposal, and may construct such sewers or drains in said district as may be necessary 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 dis-

trict shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. The district may make and maintain, in any way therein where main drains or common sewers are constructed, such connecting drains, sub-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon such way.

SECTION 3. 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 sewer 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 fourteen days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting, the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by the majority of the voters present and voting thereon by ballot it shall thereupon take full effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the sewer 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 4. The district shall 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, as the board of sewer commissioners; and at every annual district meeting following such next succeeding annual district meeting, when the term of a member expires, 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 sewer commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the sewer commissioners were first elected. All the authority granted to said district by this act, except sections six and seven, and not otherwise specifi-

cally provided for, shall be vested in said board of sewer 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 sewer commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a sewer commissioner, and shall give bond to the district in such an amount as may be approved by said sewer commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said sewer 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 sewer works except upon a written order of said sewer commissioners or a majority of them.

SECTION 5. The board of sewer commissioners, acting for and on behalf of said district, may take by eminent domain, under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, sewer rights, rights of way or easements, public or private, in said district, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 6. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Ashfield Sewer District Loan, Act of 1980. 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.

SECTION 7. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section six of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from sewer rates, will be sufficient to pay the annual expense of operating its sewer 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 Ashfield annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 8. Any land taken or acquired under this act shall be managed, improved and controlled by the board of sewer 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 four.

SECTION 9. The district clerk shall certify all appropriations voted by the district to the assessors of the town of Ashfield 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 sewerage under this act, if, in the judgment of the board of sewer commissioners herein provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid from the said sewerage system, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with the 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 sewer commissioners to said assessors. The assessment shall be committed to the town collector of taxes, 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 10. The receipts from sewer assessments, charges, rates and taxes shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal or to the extension thereof; to the payment of interest upon bonds or notes issued

for sewer purposes; or to the payment or redemption of such bonds or notes.

SECTION 11. Said board of sewer commissioners may annually appoint a superintendent of sewers, who shall not be a member of the board, and shall define his duties. It may remove the superintendent at its pleasure.

SECTION 12. All contracts made by the board of sewer commissioners shall be made in the name of the district, and shall be signed by the board, but no contract shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the district therefor.

SECTION 13. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for inspection of the materials, the construction, alteration and use of all connections entering into sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Ashfield if there be any, and if not, then in some newspaper published in the county of Franklin and shall not take effect until such publications have been made.

SECTION 14. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing the work to be done in constructing said system of sewerage and sewage disposal shall be submitted for approval by said department.

SECTION 15. Upon a petition in writing, addressed to said board of sewer commissioners, requesting that certain real estate, accurately described therein, located in said town of Ashfield and not otherwise served by a suitable means of sewage disposal, be included within the limits thereof, and signed by the owners of such real estate, or a majority thereof, said sewer 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 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 16. This act shall take effect upon its acceptance by a majority of the registered voters of the territory included within said district described in section one, present and voting thereon by use of a check list at a district meeting called in accordance with section three within four years of its passage.

Approved June 19, 1980.

Chap. 321. AN ACT FURTHER REGULATING FEES FOR THE SERVICE OF CIVIL PROCESS.

Be it enacted, etc., as follows:

Section 8 of chapter 262 of the General Laws is hereby amended by striking out subdivision A, as most recently amended by chapter 372 of the acts of 1973, and inserting in place thereof the following subdivision:-

A. For the service of civil process:

(1) For service of an original summons or scire facias, either by reading it or by leaving a copy thereof, eight dollars for each defendant upon whom service is made, except as herein otherwise provided.

(2) For service of a summons and complaint for divorce, including copy, fifteen dollars.

(3) For service of a capias, of an attachment with summons or of a trustee process, eight dollars for each service upon each defendant or trustee.

(4) For service of subpoena in a bill in equity under chapter two hundred and fifty-four, fifty cents for each defendant upon whom service is made; for each copy of such subpoena, thirty cents; for filing an attested copy of such subpoena at the registry of deeds, fifty cents.

(5) For each copy of a supreme judicial, superior, probate or land court writ, precept or process, except as herein otherwise provided, one dollar.

(6) For each copy of a district court writ, precept or process, one dollar.

(7) If the officer by the direction of the plaintiff or his attorney makes a special service of a writ or precept, either by attaching personal property or arresting the body, he shall be entitled to one dollar for each defendant upon whom the writ is so served, and four dollars additional for custody of the body arrested, and at the same rate for each day during which he has such custody. If the officer employs an assistant in the arrest of the body, he shall be entitled to three dollars a day for such assistant.

(8) For the custody of personal property attached, replevied or taken on execution, not more than twenty-five dollars for

each day of not more than eight hours for the keeper while he is in charge, and not more than ten dollars a day for the officer for a period not longer then ten days; but the officer may be allowed a greater compensation for himself or for his keeper, or compensation for a longer period, by the written consent of the plaintiff and the defendant whose property has been attached, replevied or taken on execution, or by order of the court upon a hearing. He shall also be entitled to expenses for packing, labor, teaming, storage and taking and preparing a schedule of property attached, replevied or taken on execution, if he certifies that such expenses were necessary and are reasonable.

(9) For an attachment on mesne process of land or of any leasehold estate, four dollars for each defendant against whom an attachment is made, fifteen cents a mile each way for travel from the place of service to the registry, and his fee for the copy deposited in the registry of deeds or land court, together with the recording fees actually paid.

(10) For a special attachment of real estate, five dollars additional for each person against whom an attachment is made.

(11) For the service of a writ of replevin: for seizure of property, five dollars for each defendant; securing and swearing appraisers, four dollars, and the actual amount paid to appraisers, as hereinafter provided; examining and approving sureties, three dollars; delivery of property replevied, three dollars; for each service, three dollars for each copy, at the rate hereinbefore provided for copies of writs, precepts or other processes.

(12) For a levy on real estate: for preparing and serving notice of sale, including copy and travel, six dollars for each debtor.

(13) For preparing and posting notices of sale, ten dollars.

(14) The necessary expenses of advertising.

(15) For the sale of land or of any leasehold estate, eight dollars.

(16) For preparing, executing and acknowledging deed, ten dollars.

(17) For travel, fifteen cents a mile each way from the place where he receives the execution to the office of the register of deeds, and his fee for the copy.

(18) For a sale of personal property on mesne process or on execution the following:

(a) For service of a copy of notice to appoint appraisers, four dollars for each person upon whom service is made.

(b) The necessary expenses of taking and preparing a schedule of property proposed to be sold.

(c) For attendance upon and swearing appraisers, five dollars.

(d) The amount actually paid to appraisers as hereinafter provided.

(e) For preparing and posting notice of a proposed sale, five dollars.

(f) The necessary expenses of keeper, labor and advertising.

(g) For custody of property, four dollars a day.

(h) For services as auctioneer, or for services of an auctioneer in selling property, a fair and reasonable amount.

(i) If the sale is made on execution, poundage may be charged as hereinafter provided.

(j) The fair compensation for the services of an appraiser shall not be more than fifteen dollars for each day's service, but the officer may be allowed a greater compensation for the appraisers by an order of the court.

(k) For each adjournment of sale of real or personal property, five dollars.

(19) For taking bail and furnishing and writing the bail bond, one dollar, which shall be paid by the defendant, and taxed in his bill of costs, if he prevails.

(20) For serving an execution in a personal action by copy and demand on debtor or on trustee, five dollars and travel, if the execution is not collected in whole or in part; for serving an execution in a personal action, and collecting damages or costs on an execution, warrant of distress or other like process, for an amount not exceeding one hundred dollars, four cents for every dollar; all above one hundred dollars, and not exceeding five hundred dollars, two cents for every dollar; and all above five hundred dollars, one cent for every dollar; but such percentage shall be allowed only upon the amount actually collected. A levy of the execution upon his body shall be considered, so far as the fees of the officer are material, a full satisfaction of the execution if the debtor has recognized with surety or sureties as required by law.

(21) For serving a writ of seisin or possession in a real action, eight dollars for each parcel.

(22) For serving an execution upon a judgment for partition, or for assignment of dower or curtesy, one dollar a day.

(23) For serving a writ of capias in a civil proceeding, ten dollars.

(24) For serving a writ of habeas corpus, ten dollars, together with the fee for service and copy.

(25) For serving a venire or notice to jurors for attendance upon any court, civil or criminal, four dollars for each person upon whom the service is made.

(26) For summoning witnesses, four dollars for each person upon whom service is made, and one dollar for each copy served, together with the fee paid to the witness.

(27) For dispersing treasurer's process warrants and proclamations of all kinds, two dollars each.

(28) For travel in the service of original writs, executions, warrants, summonses, subpoenas, notices and like processes, fifteen cents a mile each way, to be computed from the place of service to the court or place of return; and if the same precept, or process is served upon more than one person, the travel shall be computed from the most remote place of service, with such further travel as was necessary in serving it; if the distance from the place of service to the place of return exceeds twenty and does not exceed fifty miles, fifteen cents a mile one way only shall be allowed for all travel exceeding twenty miles, and, if it exceeds fifty miles, only four cents a mile one way shall be allowed for all travel exceeding that distance.

(29) For travel in the service of venires and notices to jurors, fifteen cents a mile for the distance actually traveled.

(30) For posting warrants, for notifying town meetings or for other purposes, three dollars for each copy posted together with fifteen cents a mile for the distance actually traveled.

Approved June 19, 1980.

Chap. 322. AN ACT RELATIVE TO THE INTEREST AMOUNT TO BE ADDED TO DAMAGES IN ACTIONS IN TORT AND CONTRACT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 50, as most recently amended by chapter 616 of the acts of 1965, and inserting in place thereof the following section:-

Section 50. Whenever compensation is not paid within sixty days notice to the insurer that compensation is claimed to be due an injured employee or his dependents, and there are one or more hearings on any question involving the said compensation, including appeals, and the decision is in favor of the employee or his dependents, interest at the rate of ten per cent per annum from the date of the receipt of the notice of the claim by the board to the date of payment shall be paid by the insurer on all sums due as compensation to such employee or his dependents. Whenever such sums include weekly payments, interest shall be computed on each unpaid weekly payment.

SECTION 2. Chapter 231 of the General Laws is hereby amended by striking out sections 6B and 6C and inserting in place thereof the following two sections:-

Section 6B. In any action in which a verdict is rendered or a finding made or an order for judgement made for pecuniary

damages for personal injuries to the plaintiff or for consequential damages, or for damage to property, there shall be added by the clerk of court to the amount of damages interest thereon at the rate of ten per cent per annum from the date of commencement of the action even though such interest brings the amount of the verdict or finding beyond the maximum liability imposed by law.

Section 6C. In all actions based on contractual obligations upon a verdict, finding or order for judgement for pecuniary damages, interest shall be added by the clerk of the court to the amount of damages, at the contract rate, if established, or at the rate of ten per cent per annum, from the date of the breach or demand. If the date of the breach or demand is not established, interest shall be added by the clerk of court, at such contractual rate, or at the rate of ten per cent per annum from the date of the commencement of the action.

SECTION 3. Section one of this act shall apply to injuries for which notice of claim is filed on and after the effective date of this act. Section two of this act shall apply to causes of action commenced on and after the effective date of this act.

Approved June 19, 1980.

Chap. 323. AN ACT PROVIDING INCREASED BENEFITS TO CERTAIN WIDOWS RECEIVING CERTAIN PENSIONS.

Be it enacted, etc., as follows:

The city of Boston is hereby authorized to provide for a cost of living adjustment to the pension of any widow of a Boston police officer shot and killed in the line of duty prior to nineteen hundred and forty-nine who has elected the pension provided by chapter two hundred and eighteen of the acts of nineteen hundred and seventy-six, such adjustment to be determined in the manner provided by section one hundred and two of chapter thirty-two of the General Laws with respect to pensions provided by section one hundred of said chapter thirty-two.

Approved June 19, 1980.

Chap. 324. AN ACT FURTHER REGULATING CERTAIN REQUIREMENTS FOR ELEVATORS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of chapter 288 of the acts of 1962 is hereby amended by striking out, in line 12, the word "and",- and by inserting after clause (6) the following two

clauses:- , (7) equipped with landing gates or doors on each floor, each gate or door having a minimum height of not less than five feet six inches with electrical mechanical interlocks; provided that each landing opening on an outside wall shall be equipped with a landing gate or door with a minimum height of six feet, and (8) equipped with car gates having a minimum height of not less than five feet six inches with electrical contacts.

SECTION 2. Chapter 143 of the General Laws, as amended by section 4 of chapter 637 of the acts of 1957, is hereby amended by striking out section 71D and inserting in place thereof the following section:-

Section 71D. Whoever works as a constructor, maintenance man and repairman in the construction, maintenance or repair of elevators without a license, or during the suspension thereof, or without a temporary license, or whoever violates any provision of section seventy-one B or seventy-one C, shall be punished by a fine of not less than five hundred nor more than one thousand dollars.

SECTION 3. The provisions of section one of this act shall take effect on January first, nineteen hundred and eighty-five; provided, however, that the provisions in said section one shall not apply to elevators with hatch covers until January first, nineteen hundred and eighty-seven.

Approved June 19, 1980.

Chap. 325. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO USE CERTAIN LAND IN SAID CITY FOR OTHER THAN REDEVELOPMENT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-seven of the acts of nineteen hundred and seventy-nine is hereby amended by striking out section two.

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

Approved June 19, 1980.

Chap. 326. AN ACT RELATIVE TO THE ACQUISITION, CONSTRUCTION, FINANCING AND DISPOSITION OF PROJECTS BY THE NORTHERN BERKSHIRE INDUSTRIAL DEVELOPMENT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 548 of the acts of 1953, as amended by chapter 424 of the acts of 1977, is hereby further

amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

There is hereby created a body politic and corporate to be known as the Northern Berkshire Industrial Development Commission and to have corporate succession, which commission shall be deemed to be a public instrumentality and political subdivision of the commonwealth, and by that name the commission may sue and be sued, plead and be impleaded, contract and be contracted with, and shall have an official seal which may be altered at the discretion of the commission.

SECTION 2. The fifth paragraph of said section 1 of said chapter 548 as added by section 2 of said chapter 424 is hereby amended by adding the following three sentences:- The withdrawal of any member municipality shall not affect the powers of the remaining members of the commission granted in this act, provided that if upon the withdrawal of any member municipality less than three municipalities shall remain as members of the commission, the commission shall terminate and be dissolved on the effective date of such withdrawal. Upon dissolution, the title to all properties of the commission, and the rights and obligations of the commission with respect thereto, shall vest in the city or town in which such property is located. If upon dissolution any bonds of the commission shall be outstanding with respect to any project, the rights and obligations of the commission on such bonds shall be assumed by the city or town in which the project is located, provided that the obligation of the city or town on such bonds shall be no greater than as provided in this act.

SECTION 3. Said chapter 548 is hereby further amended by inserting after section 1 the following section:-

Section 1A. The following words as used in this act shall, unless the context otherwise requires, have the following meanings:

(a) "Bonds" or "bond", bonds, notes and other evidences of indebtedness of the commission issued under the provisions of this act, including interim receipts and temporary bonds issued hereunder and notes issued in anticipation of bonds.

(b) "Commission", the Northern Berkshire Industrial Development Commission.

(c) "Cost of a project" or "cost", the cost of acquisition, construction, improvement or equipping of projects including the cost of acquisition of all lands, structures, franchises or other real or personal property and rights therein, the cost of demolishing, removing or relocating any structures or utilities on property acquired or to be acquired, the cost of all labor, materials, machinery and equipment, financing charges, interest on bonds prior to and during the carrying out of a project and

for a period not exceeding one year after completion thereof, the cost of engineering, financial, legal and other consulting services, plans, specifications, studies, surveys and other expenses necessary or incidental to determining the feasibility or practicality of projects, administrative expenses and such other expenses as may be necessary or incidental to projects, the financing thereof, placing the same in operation and the issuance of bonds under this act.

(d) "Governing body", in the case of a city, the mayor and city council, and, in the case of a town the board of selectmen.

(e) "Project", the acquisition, construction, improvement or equipping, or any combination of the foregoing, of lands, buildings, structures, machinery, equipment and other facilities necessary or desirable in connection therewith or incidental thereto, used or useful in any industrial, manufacturing, research and development or commercial enterprise or part thereof, located within or partially within any member city or town of the commission, including any enterprise engaged in the conduct of any trade or business, or in applying skill and labor to the giving of new shapes, new qualities or new combinations to matter as material products or to the assembly, processing, preservation, storage, handling or transportation of manufactured or natural products, provided that projects shall not include residential or rental housing, other than facilities to be rented primarily to transient guests.

(f) "User", one or more persons, whether public or private, acting as a lessee or purchaser of a project from the commission or as a mortgagor or borrower under a loan agreement with the commission relating to a project and may include a party who transfers the right to use and occupancy to another party by lease, sublease or otherwise.

SECTION 4. Said chapter 548 is hereby further amended by striking out section 2, as most recently amended by section 4 of chapter 424 of the acts of 1977, and inserting in place thereof the following section:-

Section 2. For the purpose of encouraging the maintenance, diversification and expansion of the industrial, manufacturing, research and development and commercial enterprises of northern Berkshire county and in order to maintain and expand employment opportunities and to prevent or reduce unemployment and underemployment in such county, the commission is hereby authorized:

(a) To make studies, surveys and plans of existing industrial, manufacturing, research and development and commercial facilities in northern Berkshire county and to determine what resources are presently available for housing the present industries and additional industries which may be brought to northern

Berkshire county.

(b) To acquire by purchase, gift, lease or otherwise, on such terms and conditions and in such manner as it may deem proper, any property, real or personal, tangible or intangible, within the city and towns which are members of the commission, and to hold, sell, mortgage, lease as lessor, transfer and dispose of any property or interest therein acquired by it.

(c) To acquire, construct, maintain, repair, improve and operate projects and to lease, with or without option to purchase, and sell projects or any part thereof to users and others under such terms and conditions and in such manner as it may deem proper.

(d) To borrow money and issue bonds as herein provided to pay all or any part of the cost of projects and to pledge, hypothecate, mortgage or otherwise encumber as security for bonds all or any part of the revenues and receipts of the commission derived from projects or any property or interests in property of the commission.

(e) To fix and revise from time to time rentals, installment payments, mortgage payments, loan payments and other charges established for the use or financing of projects and other property of the commission.

(f) To loan the proceeds of any issue of bonds to a user in order to finance the cost of a project, which loan may be either unsecured or secured by an interest in the project or in other property.

(g) In the event of a default by a user under any agreement relating to a project to do all things deemed by it necessary or desirable to preserve, protect or operate the project or any other property furnished as security under such agreement.

(h) To adopt by-laws for the regulation of the commission's affairs and for the conduct of its business.

(i) To make and enter into all contracts, leases, mortgages and other agreements necessary or incidental to the performance of its corporate purposes and the execution of its powers under this act, and to employ consulting engineers, superintendents, managers and any other engineers, construction and accounting experts and attorneys and such other employees and agents as may be necessary in its judgement and to fix their compensation.

(j) To receive and accept grants and loans from and to contract with any federal agency, the commonwealth or its agencies or instrumentalities, or any municipality for or in aid of any projects or otherwise deemed advisable in order to carry out its corporate purposes, and to receive and accept contributions from any source of money, property, labor or other things of value to be held, used and applied only for the purposes for which such grants and contributions may be made.

(k) To do all acts and things necessary or convenient in the judgement of the commission to carry out the powers granted in this act.

SECTION 5. Section 3 of said chapter 548, as amended by chapter 656 of the acts of 1968, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The commission is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of bonds of the commission for the purpose of paying all or any part of the cost of projects and in general for carrying out the corporate purposes of the commission; provided that no bonds shall be issued by the commission hereunder for any project unless the governing body of the member municipality in which such project is or will be located has by vote approved the project which may be described in general terms, the estimated cost thereof and the financing thereof by bonds to be issued pursuant to this act.

SECTION 6. Said section 3 of said chapter 548 is hereby further amended by striking out the eighth sentence and inserting in place thereof the following sentence:- The proceeds of such bonds shall be used solely for the payment of the cost of the projects for which they were issued, and shall be disbursed in such manner and under such restrictions, if any, as the commission may provide.

SECTION 7. Said section 3 of said chapter 548 is hereby further amended by adding the following two paragraphs:-

Bonds issued under this act shall not constitute a debt or pledge of the faith and credit of any member municipality of the commission but shall be payable solely from the income, revenues, receipts and other property received from or in connection with the projects financed thereby. All such bonds shall contain on the face thereof a statement to the effect that the bonds are not an obligation of such municipalities, that neither the faith and credit or the taxing power of any such municipality is pledged to the payment of the same and that such bonds are payable solely from the revenues and other property pledged for their payment except as provided in section one.

Bonds may be issued under this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth or of any member municipality of the commission except as otherwise provided in this act. Such bonds shall not be included in computing the borrowing capacity of any such municipality under chapter forty-four of the General Laws or any other limitation on the issuing of general indebtedness by a municipality and shall not be subject to the provisions of any other general or special law relating to the issuance or sale of bonds or notes by a municipality.

SECTION 8. Section 4 of said chapter 548 is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentence:- Such trust agreement may pledge or assign all or any part of the revenues to be received by the commission from or in connection with a project and may convey or mortgage any project or any other property or interest therein or any part thereof held by the commission under any agreement relating to a project.

SECTION 9. Said section 4 of said chapter 548 is hereby further amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, the pledge made by any resolution or trust agreement securing bonds shall be valid and binding from the time when the pledge is made; the revenues, moneys and other property so pledged and thereafter received by the commission shall immediately be subject to the lien of such pledge without any further delivery thereof or further act; and the lien of such pledge shall be valid and binding as 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 any trust agreement or resolution by which a pledge is created nor any financing statement need be filed or recorded except in the records of the commission, and no filing need be made under the Uniform Commercial Code or otherwise.

SECTION 10. Said chapter 548 is hereby further amended by inserting after section 5 the following section:-

Section 5A. The acquisition, construction, operation and maintenance of projects by the commission constitutes the performance of an essential governmental function and the commission shall not be required to pay any taxes or assessments upon any project or upon any other property acquired or used by the commission under the provisions of this act. Income derived by the commission from or in connection with any project or any other such property shall not be subject to taxation by the commonwealth. Notwithstanding the foregoing, property of the commission leased for any activity or transaction entered into by the lessee for financial profit or gain, whether or not a user, shall be taxed to the lessee thereof by the city or town in which situated in the same manner and to the same extent as provided in section twenty of chapter forty D of the General Laws with respect to the property of an industrial development authority or municipality so leased, unless the commission, the lessee and such city or town, acting by the governing body thereof, shall otherwise agree. Bonds issued by the commission under this act, 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 11. Said chapter 548 is hereby further amended by inserting after section 7 the following section:-

Section 7A. Bonds issued by the commission under the provisions of this act are hereby made securities in which 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.

SECTION 12. This act shall take effect only upon its acceptance by all of the member city and towns of the commission, in the case of the city of North Adams, by vote of its city council approved by its mayor, and, in the case of the member towns, by vote of an annual or special town meeting in the respective towns.

Approved June 20, 1980.

Chap. 327. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY 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 provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine, for the fiscal year ending June thirtieth, nineteen hundred and eighty or for such period as may be specified, the sums so appropriated to be in addition to any amounts available for the purpose.

SECTION 2.

Item

4406-2000 For a program of general relief; provided, 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 three hundred thou-

sand dollars may be expended for said medical services; and provided further that an amount not exceeding three hundred thousand dollars may be expended from this item for expenses incurred in prior fiscal years $2,000,000

Approved June 23, 1980.

Chap. 328. AN ACT REGULATING ACCESS TO THE MASSACHUSETTS NATURAL HERITAGE PROGRAM DATA BASE.

Be it enacted, etc., as follows:

Chapter 66 of the General Laws is hereby amended by inserting after section 17C the following section:-

Section 17D. Records of the department of environmental management known as the Massachusetts Natural Heritage Program Data Base shall not be public records; provided, however, that they shall be open for inspection by agents of the commonwealth preserving species and subspecies of nongame wildlife and indigenous plants.

Approved June 23, 1980.

Chap. 329. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE, 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 eighty-one, in this act referred to as the year nineteen hundred and eighty-one, or for such period as may be designated.

SECTION 2.

LEGISLATURE.

Item		
	Senate.	
0111-0000	For the compensation of senators, prior appropriation continued	$1,250,000
0111-8000	For expenses of senators, including travel, prior appropriation continued	190,000
0112-0000	For the office of the senate clerk, prior appropriation continued, including not more than eleven permanent positions	310,000
0112-0100	For the rental and maintenance of a xerox machine	20,000
0113-0000	For the salary of the chaplain of the senate	8,000
0114-0000	For the office of the senate counsel, including not more than five permanent positions, prior appropriation continued	350,000
0115-0000	For administrative and legislative aides to the senators, prior appropriation continued	1,845,000
0116-0000	For secretarial and clerical assistance to the senators, prior appropriation continued	490,000
0116-0030	For a legislative intern program for the Senate, appropriation expires June 30, 1981, prior appropriation continued	65,000
0117-0000	For the office of the Senate committee on Ways & Means, prior appropriation contintued, including not more than four permanent positions	569,000
0118-0000	For the office supplies and other expenses of the senators, prior appropriation continued	280,000
	House of Representatives.	
0121-0000	For compensation of representatives	3,900,000
0121-8000	For expenses of representatives, including travel, prior appropriation continued; provided, further, that any travel not specifically authorized by law shall require a vote of the house of representatives prior to said travel, and that any member using such appropriations shall file a report with the clerk of the house delineating the reasons and accomplishments of said travel. Each member shall sign under the penalties of perjury a voucher acknowledging receipt of said allowances certifying the days for which said allowance was received	300,000

Item		
0121-9000	For renovations and improvements to rooms 443-446 in the state house, prior appropriation continued.	
0122-0000	For the office of the clerk of the house of representatives, prior appropriation continued, including not more than eleven permanent positions	$317,098
0123-0000	For the salary of the chaplain of the house of representatives	10,500
0124-0000	For the office of the house counsel, prior appropriation continued, including not more than eight permanent positions; provided that twenty thousand dollars may be used for the payment of bills incurred during the fiscal year ending June thirtieth, nineteen hundred and eighty	600,000
0125-0000	For the office of the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	1,180,000
0125-0010	For the 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; provided that no money shall be authorized for travel or reimbursement for travel expenses unless by prior vote of the house of representatives; and provided, further, that any member, committee staff person or others so authorized to travel shall file a report on the purpose and relevant information gathered from such travel	20,000
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	10,000
0126-0000	For the office of the house committee on ways and means, prior appropriation continued, including not more than nine permanent positions	650,000
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	2,300,000
0127-0020	For administrative and legislative aides to the members of the house of representatives, prior appropriation continued	2,410,000
0127-0021	For two administrative assistants to work within the county in which they reside under the direction of the elected representative from the Cape and Islands District; provided, that such assistants shall be a resident of the district; and provided, further, that each shall reside in separate counties and neither shall reside in the county in which the elected representative resides	33,000
0127-0030	For a legislative intern program	120,000
0127-0040	For the office supplies and other expenses of the house of representatives, prior appropriation continued	400,000
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.	

Item		
	Sergeant-at-Arms.	
0131-0000	For the office of the sergeant-at-arms, including not more than eleven permanent positions, prior appropriation continued	$290,233
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	1,630,465
0132-1000	For the salaries of clerks employed in the legislative document room, including not more than thirteen permanent positions	239,829
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	200,000
0135-0000	For the rental, maintenance and updating of an electric roll call system	11,000
	Other Expenses.	
0141-0000	For the expenses of the legislative research council	6,000
0142-0000	For the legislative research bureau	362,250
0143-0000	For the legislative service bureau, prior appropriation continued	2,100,000
0143-0001	For the administration of the office of legislative data processing, prior appropriation continued	400,000
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	300,000
0147-0000	For the administration of the legislative engrossing division, including not more than four permanent positions, prior appropriation continued	100,000
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	824,740
0161-2000	For the emergency service 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	14,500
0163-0000	For the expenses of the joint committee on rules and for clerical and other assistance to the joint committees, prior appropriation continued	125,000
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

Item		
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 membership fees and programs of legislative associations for the general court of the commonwealth, with the approval of the president of the senate and the speaker of the house of representatives, prior appropriation continued	76,840
0169-7102	For the office of legislative post audit and oversight bureau, prior appropriation continued	495,099
0181-5002	For providing matching funds for a grant by the National Science Foundation establishing a science and technology capability for the general 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 eighty-one	195,335
0181-5007	For a Massachusetts economic policy analysis model	40,000
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 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
0185-7209	For the expenses of the Special Joint Committee on Uniform Sentencing and Revision of the Criminal Law Statutes, prior appropriation continued	25,000
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 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
0185-7510	For the special commission on the performing arts	100,000
0185-7801	For an investigation and study of hazardous waste and alternatives to and a prohibition of inground disposal and sanitary landfill disposal methods in accordance with the provisions of section fifty-seven of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine, prior appropriation continued	50,000
0185-7802	For an investigation and study relative to the Massachusetts civil service system, prior appropriation continued.	
0185-7803	To provide for an investigation and study by a special commission of the current local aid distribution formula in order to determine if said formulas provide a fair and equitable distribution to the cities and	

Item		
	towns of the commonwealth. Said commission shall consist of three members of the senate, seven members of the house of representatives and three members appointed by the governor	$100,000
0185-7804	For the expenses of the special joint commission on the development of Boston Harbor	35,000
0185-7805	To provide for an investigation and study by a special commission relative to the organization, staffing, equipment and other requirements of the operation of the district attorneys' offices as authorized by section thirty-three of this act	50,000
0185-7806	For a study of the procurement practices of the commonwealth relative to electronic data processing	80,000
0185-7807	For a study of the tax implications of allowing deductions for charitable giving	50,000
	JUDICIARY.	
	Supreme Judicial Court.	
0320-0001	For the salaries, travelling allowances and expenses of the chief justice and of the six associate justices	364,000
0320-0003	For salaries and expenses of the supreme judicial court, including not more than seventy-three permanent positions	1,818,900
0320-0004	For the salaries and expenses of recalled justices of the appellate courts	99,000
0320-0005	For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended	6,500
0321-0001	For expenses of the commission on judicial conduct	73,000
	Board of Bar Examiners.	
0321-0100	For the service of the board, including not more than six permanent positions	346,600
0321-1001	For expenses of the Massachusetts defenders committee; provided, that salaries paid to attorneys employed by the Massachusetts defenders committee shall be comparable to those paid to attorneys employed by the several district attorneys' offices, including not more than thirty-nine permanent positions	3,000,000
0321-1002	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
0321-2000	For expenses of the mental health legal advisors committee, and for certain programs for the indigent mentally ill, as provided in section thirty-four E of chapter two hundred and twenty-one of the General Laws; provided, that no expenditure or commitment made pursuant thereto shall be incurred in excess of funds appropriated herein	122,796

Item		
0321-2100	For a correctional legal services committee	$161,350
	Appeals Court.	
0322-0001	For the salaries, travelling allowances and expenses of the chief justice and of the nine associate justices	473,500
0322-0002	For salaries and expenses of the appeals court	1,070,000
	Trial Court.	
0330-0200	For the salaries and expenses of the recalled justices of the trial court	650,000
0330-0300	For salaries and expenses of the administrative staff	1,261,374
0330-0500	For the federal law enforcement assistance program; provided, that funds for said purpose are recommended by the chief administrative justice of the trial court and approved by the commissioner of administration and the house and senate committees on ways and means; and further 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	111,463
0330-1000	For payments of expenses of juries	3,745,000
0330-2000	For salaries and expenses of certain law libraries	1,003,465
0330-2100	For counsel to indigents, provided that three hundred seventy-six thousand one hundred and eighty-eight dollars shall be expended from this item for the purposes of the Roxbury defenders committee; provided further, that salaries paid to attorneys employed by the Roxbury defenders committee shall be comparable to those paid to attorneys employed by the several district attorneys offices	4,734,708
0330-2200	For rental of court facilities	11,805,561
0330-2300	For payments of witness fees	550,000
0330-2400	For education and training programs to be allocated at the direction of the chief administrative justice	60,000
	Superior Court.	
0331-0001	For the salaries, travelling allowances and expenses of the chief justice and of the fifty-five justices	2,619,750
0331-0100	For salaries and expenses of the administrative staff	400,000
0331-0200	For clerical assistance to the justices	1,040,000
0331-0300	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
0331-0600	For the expenses of superior court probation services, including not more than two hundred and thirty-nine permanent positions	4,027,000
	For Salaries and Expenses.	
0331-2100	Barnstable superior court, including not more than seven permanent positions	320,000
0331-2200	Berkshire superior court, including not more than six permanent positions	235,000
0331-2300	Bristol superior court, including not more than twenty-six permanent positions	800,000

Item		
0331-2400	Dukes superior court, including not more than two permanent positions	$47,267
0331-2500	Essex superior court, including not more than thirty-seven permanent positions	1,390,000
0331-2600	Franklin superior court, including not more than four permanent positions	158,000
0331-2700	Hampden superior court, including not more than forty-four permanent positions	1,355,667
0331-2800	Hampshire superior court, including not more than seven permanent positions	262,000
0331-2900	Middlesex superior court, including not more than one hundred and sixty permanent positions	3,180,000
0331-3000	Nantucket superior court, including not more than two permanent positions	45,500
0331-3100	Norfolk superior court, including not more than thirty-eight permanent positions	1,500,000
0331-3200	Plymouth superior court, including not more than sixty-five permanent positions	1,091,816
0331-3300	Suffolk superior civil court, including not more than one hundred and twenty-two permanent positions	1,967,651
0331-3310	Suffolk superior criminal court, including not more than one hundred and forty-six permanent positions	2,575,014
0331-3400	Worcester superior court, including not more than sixty-eight permanent positions	1,390,000
	Administration of District Courts. For Salaries and Expenses.	
0332-0100	District court, administrative staff, including not more than eleven permanent positions	284,000
0332-1100	First district court of Barnstable, including not more than forty-five permanent positions	845,000
0332-1200	Second district court of Barnstable (Orleans), including not more than twenty-six permanent positions	455,000
0332-1300	District court of northern Berkshire (Adams, North Adams, Williamstown), including not more than seventeen permanent positions	439,000
0332-1400	District court of central Berkshire (Pittsfield), including not more than twenty-three permanent positions	418,500
0332-1500	District court of southern Berkshire (Great Barrington, Lee), including not more than twelve permanent positions	267,000
0332-1600	First district court of Bristol (Taunton), including not more than twenty-nine permanent positions	488,500
0332-1700	Second district court of Bristol (Fall River), including not more than fifty permanent positions	921,080
0332-1800	Third district court of Bristol (New Bedford), including not more than forty-six permanent positions	850,000
0332-1900	Fourth district court of Bristol (Attleboro), including not more than twenty-three permanent positions	451,515

Item		
0332-2000	District court of Edgartown, including not more than nine permanent positions	$162,000
0332-2100	First district court of Essex (Salem), including not more than thirty-seven permanent positions	750,000
0332-2200	Second district court of Essex (Amesbury), including not more than twelve permanent positions	244,000
0332-2300	Third district court of Essex (Ipswich), including not more than eight permanent positions	169,000
0332-2400	Central district court of northern Essex (Haverhill), including not more than thirty-two permanent positions	630,500
0332-2500	District court of eastern Essex (Gloucester), including not more than twenty permanent positions	390,000
0332-2600	District court of Lawrence, including not more than thirty-nine permanent positions	730,000
0332-2700	District court of southern Essex (Lynn), including not more than forty-two permanent positions	722,000
0332-2800	District court of Newburyport, including not more than eleven permanent positions	266,000
0332-2900	District court of Peabody, including not more than twenty-seven permanent positions	517,745
0332-3000	District court of Greenfield, including not more than twenty-two permanent positions	413,250
0332-3100	District court of Orange, including not more than seven permanent positions	210,000
0332-3200	District court of Chicopee, including not more than nineteen permanent positions	400,000
0332-3300	District court of Holyoke, including not more than twenty-eight permanent positions	485,000
0332-3400	District court of eastern Hampden (Palmer), including not more than twenty permanent positions	398,000
0332-3500	District court of Springfield, including not more than one hundred and eighteen permanent positions	1,885,000
0332-3600	District court of western Hampden (Westfield), including not more than twenty-one permanent positions	400,000
0332-3700	District court of Hampshire (Northampton), including not more than thirty-eight permanent positions	691,000
0332-3800	District court of eastern Hampshire (Ware), including not more than eight permanent positions	181,047
0332-3900	District court of Lowell, including not more than sixty-four permanent positions	1,250,000
0332-4000	District court of Somerville, including not more than fifty-nine permanent positions	1,061,000
0332-4100	District court of Newton, including not more than thirty permanent positions	580,000
0332-4200	District court of Marlborough, including not more than twenty-four permanent positions	460,000

Item		
0332-4300	District court of Natick, including not more than fifteen permanent positions	$325,892
0332-4400	District court of eastern Middlesex (Malden), including not more than sixty permanent positions	1,103,000
0332-4500	Second district court of eastern Middlesex (Waltham), including not more than forty-one permanent positions	735,000
0332-4600	Third district court of eastern Middlesex (Cambridge), including not more than one hundred and seventeen permanent positions	2,000,000
0332-4700	Fourth district court of eastern Middlesex (Woburn), including not more than fifty-five permanent positions	1,009,728
0332-4800	First district court of northern Middlesex (Ayer), including not more than thirty-five permanent positions	713,701
0332-4900	First district court of southern Middlesex (Framingham), including not more than fifty-four permanent positions	1,022,000
0332-5000	District court of central Middlesex (Concord), including not more than forty-two permanent positions	809,000
0332-5100	District court of Nantucket, including not more than six permanent positions	130,924
0332-5200	District court of northern Norfolk (Dedham), including not more than forty-eight permanent positions	835,000
0332-5300	District court of east Norfolk (Quincy), including not more than eighty-eight permanent positions	1,620,000
0332-5400	District court of western Norfolk (Wrentham), including not more than thirty-six permanent positions	655,000
0332-5500	District court of southern Norfolk, including not more than twenty-eight permanent positions	524,000
0332-5600	Municipal court of Brookline, including not more than twenty-six permanent positions	468,000
0332-5700	District court of Brockton, including not more than fifty-five permanent positions	1,147,000
0332-5800	Second district court of Plymouth (Hingham), including not more than forty-two permanent positions	697,572
0332-5900	Third district court of Plymouth (Plymouth), including not more than thirty-four permanent positions	580,000
0332-6000	Fourth district court of Plymouth (Wareham), including not more than twenty-six permanent positions	437,477
0332-6100	District court of Brighton, including not more than thirty-four permanent positions	610,000
0332-6200	District court of Charlestown, including not more than eighteen permanent positions	411,000
0332-6300	District court of Chelsea, including not more than forty-six permanent positions	728,000
0332-6400	District court of Dorchester, including not more than one hundred and fifteen permanent positions	1,965,040
0332-6500	District court of East Boston, including not more than forty-seven permanent positions	844,000

Item		
0332-6600	District court of Roxbury, including not more than one hundred and thirty-five permanent positions	$2,471,400
0332-6700	District court of South Boston, including not more than twenty-six permanent positions	584,739
0332-6800	District court of West Roxbury, including not more than forty-five permanent positions	821,975
0332-6900	District court of Worcester, including not more than eighty permanent positions	1,600,000
0332-7000	District court of Fitchburg, including not more than twenty-five permanent positions	463,858
0332-7100	District court of Leominster, including not more than twelve permanent positions	271,500
0332-7200	District court of Winchendon, including not more than five permanent positions	152,385
0332-7300	First district court of northern Worcester (Gardner), including not more than twenty-seven permanent positions	498,000
0332-7400	First district court of eastern Worcester (Westborough), including not more than thirty-two permanent positions	520,000
0332-7500	Second district court of eastern Worcester (Clinton), including not more than fourteen permanent positions	285,000
0332-7600	First district court of southern Worcester (Dudley), including not more than twenty-five permanent positions	464,000
0332-7700	Second district court of southern Worcester (Uxbridge), including not more than thirteen permanent positions	270,000
0332-7800	Third district court of southern Worcester (Milford), including not more than eighteen permanent positions	375,000
0332-7900	District court of Worcester (Brookfield), including not more than eight permanent positions	202,000
0332-8100	Middlesex Juvenile Probation District, including not more than twenty-four permanent positions	600,000
0332-8200	Northern Essex Juvenile Probation District, including not more than twelve permanent positions	226,593
0332-8300	Berkshire Juvenile Probation District, including not more than six permanent positions	123,807
0332-8400	Plymouth Juvenile Probation District, including not more than eighteen permanent positions	300,000
0332-8500	Northern Worcester Juvenile Probation District, including not more than eleven permanent positions	250,603
0332-8600	Southern Worcester Juvenile Probation District, including not more than ten permanent positions	193,000
	Probate and Family Court Department. For Salaries and Expenses.	
0333-0001	Probate court, administrative staff, including not more than four permanent positions	134,000
0333-0100	Barnstable, including not more than sixteen permanent positions	396,035
0333-0200	Berkshire, including not more than twelve permanent positions	242,078

Item		
0333-0300	Bristol, including not more than thirty-seven permanent positions	$663,042
0333-0400	Dukes, including not more than four permanent positions	94,000
0333-0500	Essex, including not more than fifty-one permanent positions	911,966
0333-0600	Franklin, including not more than nine permanent positions	190,857
0333-0700	Hampden, including not more than fifty-two permanent positions	800,241
0333-0800	Hampshire, including not more than fifteen permanent positions	333,764
0333-0900	Middlesex, including not more than one hundred and nineteen permanent positions	2,095,970
0333-0911	For a demonstration project in the Middlesex probate court's family service clinic	51,329
0333-1000	Nantucket, including not more than three permanent positions	78,000
0333-1100	Norfolk, including not more than sixty-seven permanent positions	1,252,525
0333-1200	Plymouth, including not more than forty-one permanent positions	818,000
0333-1300	Suffolk, including not more than ninety-one permanent positions	1,473,978
0333-1400	Worcester, including not more than sixty-three permanent positions	955,000
	Land Court.	
0334-0001	For the office of the land court, including not more than seventy permanent positions	1,346,000
	Boston Municipal Court.	
0335-0001	For salaries and expenses of the Boston municipal court, including not more than two hundred and nine permanent positions	3,888,586
	Housing Court.	
0336-0001	For salaries and expenses of the administrative staff, including not more than three permanent positions	60,000
	For Salaries and Expenses.	
0336-0100	Boston housing court, including not more than thirty-five permanent positions	692,302
0336-0200	Hampden housing court, including not more than ten permanent positions	211,000
	Juvenile Court.	
0337-0001	For salaries and expenses of the administrative staff, including not more than four permanent positions	133,000
	For Salaries and Expenses.	
0337-0100	Boston juvenile court, including not more than ninety-seven permanent positions	2,133,471
0337-0200	Bristol juvenile court, including not more than thirty-four permanent positions	740,000
0337-0300	Springfield juvenile court, including not more than thirty-two permanent positions	770,000
0337-0400	Worcester juvenile court, including not more than twenty-five permanent positions	568,965
	Committee on Probation.	
0339-1001	For the office of the commissioner of probation, including not more than one hundred and twenty-eight permanent positions	1,806,000
0339-1201	For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior	

Item		
	approval by the proper federal authorities of the program for which these funds are to be expended	$65,044
0339-2100	For the administration of Middlesex county juror selection and management, in accordance with chapter two hundred and thirty-four A of the General Laws, including not more than nine permanent positions	289,318
	Judicial Council.	
0339-2200	For the service of the council, including not more than two permanent positions	45,450
	District Attorneys.	
	For the salaries of district attorneys and assistants for the eleven district:	
0340-0100	Suffolk, including not more than one hundred and eleven permanent positions; provided that not less than thirty-three thousand five hundred dollars be allocated for the purpose of establishing a training And education program for district attorneys and assistant district attorneys; provided further, that said program be administered on a contractual basis by an accredited law school located within the commonwealth	3,970,000
0340-0150	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	11,954
0340-0200	Northern, including not more than eighty-three permanent positions	2,918,521
0340-0250	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	97,500
0340-0300	Eastern, including not more than thirty-two permanent positions	1,546,059
0340-0350	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	130,920
0340-0400	Middle, including not more than thirty-eight permanent positions	1,625,000
0340-0500	Hampden, including not more than thirty-seven permanent positions	1,065,825
0340-0600	Northwestern, including not more than thirteen permanent positions	701,523
0340-0700	Norfolk, including not more than forty-seven permanent positions	1,589,459
0340-0750	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	51,700
0340-0800	Plymouth, including not more than thirty permanent positions	$1,015,299
0340-0850	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	13,619
0340-0900	Bristol, including not more than twenty-two permanent positions	1,088,271

Item		
0340-0950	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	$29,652
0340-1000	Cape and Islands, including not more than thirteen permanent positions	525,198
0340-1050	For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended	6,879
0340-1100	Berkshire, including not more than sixteen permanent positions	465,480
	EXECUTIVE.	
	Governor.	
0411-1000	For the salaries of the governor and officers and employees in the governor's office	950,000
0411-1901	For postage, printing, office and other contingent expenses, including travel of the governor	211,000
0411-3000	For certain expenses and fees for New England and national committees	139,200
0411-4000	For the administration of the public safety committee	789,000
0411-6000	For the office of intergroup affairs	87,000
0411-7000	For the commission on the status of women	40,000
	Extraordinary Expenses.	
0411-8000	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth; provided, that no expenditures 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	40,000
	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	192,600
0412-2008	For federal-local relations	188,000
	Governor's Council.	
0413-1000	For the salaries and personal services of the council, for the expenses of the governor and council, and for the expenses and travel of the lieutenant governor and council from and to their homes	221,000
	MILITARY DIVISION.	
	Notwithstanding the provisions of chapter thirty of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so called.	
	Adjutant General.	

Item		
0431-0010	For the office of the adjutant general, including not more than twenty-six permanent positions	$453,000
0431-0200	For compensation for special and miscellaneous duty, for transportation of officers to and from military meetings and drills and for expenses of camps of instruction, including not more than six permanent positions	251,773
0431-0300	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	50,000
0431-0400	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property	14,000
0431-0500	For the operation of the war records project, so-called, including not more than ten permanent positions	88,500
	State Quartermaster.	
0431-1010	For the office of the state quartermaster	9,370
0431-1110	For the operation of armories of the first class, including not more than ninety-six permanent positions	2,216,000
0431-1300	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	92,500
0431-1410	For certain storage and maintenance facilities, including not more than thirty-three permanent positions	336,000
0431-1510	For certain national guard aviation facilities, including not more than ten permanent positions	97,329
	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; provided that there shall be paid from this item certain prior year salaries in accordance with a court order	401,000
0432-0002	For the service of the civil defense agency nonmatching fund program	9,990
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	6,475
0432-4000	For the purchase and installation of certain equipment to be allocated to the state civil defense program; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities and shall be expended with at least an equivalent amount of federal grants for the purposes of this item	18,250
0433-0100	For providing matching funds of twenty-five per cent for a federal planning and administration grant to the Governor's Highway Safety program under the provisions of the Surface Transportation Act of nineteen hundred and seventy-eight section 207 (d)	150,000

Item		
	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-seven permanent positions, prior appropriation continued	$2,988,900
0517-0000	For the expense of printing various public documents	408,000
0518-0000	For the purchase and distribution of certain journals of the house of representatives	6,000
0521-0000	For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, including not more than seven permanent positions	2,423,000
0524-0000	For expenses of compiling and publishing information to voters	437,500
	Massachusetts Historical Commission.	
0526-0100	For the administration of the commission, including not more than one permanent position	215,700
	Ballot Law Commission.	
0527-0100	For the compensation and expenses of the commissioners, including not more than three permanent positions	14,000
	Records Conservation Board.	
0528-0100	For the expenses of the board	16,065
	Commission on Interstate Cooperation.	
0530-0100	For the expenses of the commission	98,000
	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	189,233
	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	3,961,764
	Highway Fund 30.0%	
	General Fund 70.0%	
0611-1000	For the administration and expenses of bonus payments to war veterans	172,000
0611-5000	For compensation to victims of violent crimes; provided, that notwithstanding the provisions of section five of chapter two hundred and fifty-eight A of the General Laws, if a claimant is sixty years of age or older at the time of the crime, and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with this chapter even if the claimant has suffered no out-of-pocket loss; provided further that compensation to such claimant shall be limited to a maximum of fifty dollars, prior appropriation continued	50,000
0611-5500	For additional assistance to the cities and towns there is hereby appropriated the sum of one hundred forty-three million dollars from	

Item			
	the General Fund to 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 to be distributed to said cities and towns in accordance with the provisions of section eighteen C of chapter fifty-eight of the General Laws		$143,000,000
	Local Aid Fund	100.0%	
	State Board of Retirement.		
0612-0100	For the administration of the board; provided, that the position of executive secretary of retirement board shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than forty-three permanent positions		880,400
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		130,885,406
	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 meet the full cost of the commonwealth's share in financing the state employees' and teachers' retirement systems; and provided, further that the amounts herein shall be paid from and not exceed the revenues dedicated by clause (a) of the last paragraph of section twenty-one of chapter one hundred and thirty-eight of the General Laws; and provided, further that no funds will be eligible to receive moneys from such reserve if such funds are invested in any company doing business in or with the Republic of South Africa after September first, nineteen hundred and seventy-nine		14,000,000
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		13,073,866
	Highway Fund	22.0%	
	General Fund	78.0%	
	Pensions for Retired Justices.		
0612-3000	For pensions of retired judges or their widows		1,000,000
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		69,142
	MDC Sewerage District Fund	25.0%	
	MDC Water District Fund	25.0%	

Item		
	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	$1,100,755
	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	327,400
	MDC Sewerage District Fund 100.0%	
0612-8000	For retirement of certain veterans formerly in the service of the metropolitan water system	511,806
	MDC Water District Fund 100.0%	
0612-9000	For annuities for widows of certain former members of the uniformed branch of the state police	114,388
	Highway Fund 66.0%	
	General Fund 34.0%	
	Commissioners on Firemen's Relief.	
0620-0000	For the expenses of administration and for relief disbursed by the commissioners	15,000
	Emergency Finance Board.	
0630-0000	For administration of the board, including not more than one permanent position	41,488
	State Lottery Commission.	
0640-0000	For the expenses of the operation and administration of the state lottery, provided, that twenty-five per cent of this appropriation shall be transferred from the State Lottery Fund to the General Fund quarterly in advance; provided further, that all the positions in this item shall not be subject to chapters thirty and thirty-one of the General Laws; provided, that the 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 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	

Item		
	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	$19,738,500
0640-0100	For the expenses of the operation and administration of the arts lottery	759,500
	Debt Service.	
0699-1800	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the State Recreation Areas Fund	1,663,082
	State Recreation Areas Fund 100.0%	
0699-1900	For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the State Recreation Areas Fund	5,770,000
	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	62,995
	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	165,000
	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	5,173,728
	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	6,642,000
	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	4,509,419
	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	5,989,000
	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	4,153,250
	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	5,563,000
	MDC Parks District Fund 100.0%	

Item		
0699-6800	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Highway Fund debt service reserve	$ 40,942,815
	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	50,025,000
	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	105,946,209
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	111,955,000
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	2,655,000
	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 permanent positions, prior appropriation continued	6,338,300
	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	6,239,800
0810-0014	For the expenses incurred by the department pursuant to section eleven E of chapter twelve of the General Laws	250,000
0810-0021	For the expenses of administering the medicaid fraud control unit; provided, that from the total amount appropriated under this item there shall be transferred and made available for expenditure in item 1103-5010 the sum of four hundred and thirty-one thousand dollars for personnel costs; and, provided further that the federal reimbursement for any expenditure for this item or the funds transferred to item 1103-5010 from this item shall not be less than ninety per cent of such expenditure	1,442,041
0810-0031	For the expenses of administering the local consumer aid fund, established by section eleven G of chapter twelve of the General Laws	210,700
0810-0035	For the administration and expenses of the Anti-Trust division	247,110
	Anti-Trust Enforcement Fund 100.0%	

Item		
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	200,000
0830-0100	For the administration and expenses of the commission on uniform state laws	16,140
	STATE ETHICS COMMISSION.	
0900-0100	For the administration and expenses of the state ethics commission	580,000
	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	471,692
	Highway Fund 30.0%	
	General Fund 70.0%	
1100-1150	For the administration of tort claims	115,000
1100-1402	For the office for economic expansion, including not more than five permanent positions	190,000
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, universities, schools of nursing, and municipal colleges, 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 bachelor's degree; and provided further, that, each participating institution shall agree to expend an amount equal to at least seventy-five 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	3,700,000
	Fiscal Affairs Division.	
1101-2100	For the administration of the division, including not more than fifty-three permanent positions	1,840,900
	Highway Fund 30.0%	
	General Fund 70.0%	

Item		
1101-2300	For the administration of the bureau of systems operations, including not more than ninety-five permanent positions	$3,400,000
	Central Services Division.	
1102-3110	For the administration of the division, including not more than four permanent positions	131,400
1102-3210	For the administration of the bureau of building construction, including not more than ninety-five permanent positions	1,764,000
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; provided, that, notwithstanding any provisions of chapter thirty-one of the General Laws, members of the capitol 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 personnel administrator, including not more than four hundred and two permanent positions	13,803,849
1102-4010	For the operation of certain central services and the telephone system, including not more than sixty permanent positions	906,500
1102-5201	For the expenses and administration of a motor vehicles management bureau, including not more than fourteen permanent positions	192,715
1102-5211	For fuel and repairs of certain motor vehicles	2,543,420
1102-5221	For the purchase of motor vehicles	1,575,400
	Comptroller's Division.	
1103-1000	For the administration of the division, including not more than one hundred and fifty-two permanent positions	2,110,078
	Highway Fund 30.0%	
	General Fund 70.0%	
1103-5010	For the administration of the fraudulent claims commission, including not more than sixty-five permanent positions	978,800
	Purchasing Agent's Division.	
1104-1000	For the administration of the division, including not more than fifty-three permanent positions	583,709
	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	41,800
	Other Administration and Finance.	
1105-1000	For the administration of the division of employee relations, including not more than eighteen permanent positions	510,000
	Division of Personnel Administration.	
1107-1000	For the administration of the division, including not more than three hundred and fifty-four permanent positions	4,618,000
	General Fund 80.0%	
	Highway Fund 20.0%	
1107-1011	For the administration of the civil service commission, including not more than thirteen permanent positions	170,124

Item		
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 written contract filed with the comptroller, including not more than eight permanent positions	309,100
1111-0010	For the administration of the bureau of teachers' retirement, including not more than twenty-eight permanent positions	518,000
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, prior appropriation continued	17,700,000
	Local Aid Fund 100.0%	
1111-1003	For the payments of the commonwealth's share in financing the teachers' retirement system, prior appropriation continued	134,881,516
	Local Aid Fund 100.0%	
	Group Insurance Commission.	
1120-1000	For administration of the group insurance program, including not more than forty-two permanent positions	1,169,300
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; and provided further, that effective July first, nineteen hundred and eighty said commonwealth's share of the group insurance as provided, in section eight of said chapter thirty-two A shall be ninety per cent of the total monthly premiums or rates as established by the	

Item		
	commission effective July first, nineteen hundred and eighty; and further provided, that no funds appropriated under this item shall be expended for the payment of abortions not necessary to prevent the death of the mother, prior appropriation continued	$92,904,648
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; and further provided, that no funds appropriated under this item shall be expended for payment of abortions not necessary to prevent the death of the mother, prior appropriation continued.	
1120-4000	For the group insurance premium for certain retired municipal teachers and their dependents, prior appropriation continued; and further provided, that no funds appropriated under this item shall be expended for the payment of abortions not necessary to prevent the death of the mother	1,415,888
	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	1,053,891
	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	90,000
	DEPARTMENT OF REVENUE.	
1201-0100	For the administration of the departments, including audits, of certain foreign corporations, and for the rental, maintenance and operation of offices 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 cigarette tax in accordance with the pro visions 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 five hundred and one permanent positions	28,852,600
	Highway Fund 10.0%	
	General Fund 90.0%	
1201-0150	For the expenses of administering section forty-five A of chapter sixty-two C of the General Laws	420,250
1211-0100	For salaries and expenses of the wage reporting system, including not more than seventy-nine permanent positions	1,125,900
	Bureau of Accounts.	
1231-0100	For the administration of the bureau, including the expenses of auditing municipal accounts where the circumstances require state assistance to accomplish a specific purpose in the protection of the public in-	

Item			
	terest; for the operation of technical assistance and education programs for financial officials of the cities and towns; for the monitoring of municipal audits performed by independent public accountants; for the supervision of the installation of accounting systems meeting generally accepted accounting principles; for the expenses of materials which may be sold to cities and towns, including not more than ninety-nine permanent positions		$2,012,300
1231-1000	For the administration of the county personnel board, including not more than six permanent positions		35,000
	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		14,700,000
	Local Aid Fund	100.0%	
1233-1500	For reimbursing cities and towns for loss of taxes on land taken for flood control purposes		265,000
	Local Aid Fund	100.0%	
1233-2000	For reimbursing cities and towns for abatements granted		7,538,000
	Local Aid Fund	100.0%	
1233-2310	For reimbursement to cities and towns for taxes abated		10,000,000
	Local Aid Fund	100.0%	
1233-3000	For reimbursing the city of Boston for loss of taxes on land for the government center		357,575
	Local Aid Fund	100.0%	
1233-3100	For reimbursing certain cities and towns for fifty per cent of career incentive salary increases for police officers		3,400,000
	Local Aid Fund	100.0%	
	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-four permanent positions		616,300
	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

Item		
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	$5,000
1599-0004	For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws	2,500
1599-0008	For a reserve for tort claims	250,000
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	2,000
	Highway Fund 100.0%	
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, prior appropriation continued.	
	Emergencies.	
1599-2025	For a reserve to meet emergencies; provided, that 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 emergency shall have been certified by the agency and the secretary having jurisdiction over the requesting agency; and that the existence of the said emergency shall have been verified by the house and senate committees on ways and means; and provided further, that the commissioner of administration, is authorized to allocate the amount of said transfers to the several state or other funds to which such less than two million, two hundred thousand dollars shall be spent to meet costs of certain recommendations of the governor's management task force	5,000,000
1599-2050	For a reserve to meet costs of certain recommendations of the governor's management task force; amounts for said recommendations are based on schedules approved by the house and senate ways and means committees a copy of which shall be deposited with the commissioner of administration and shall be expended upon recommendation of	

Item		
	said commission and upon certification by the house and senate committees on ways and means	$2,800,000
1599-2092	For a reserve to meet the cost of fuel and power; provided, that 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 eighty-one where the amounts otherwise available are insufficient for the purpose; and, provided further, that 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; and provided, further, that no such transfer shall be made without the prior approval of the house and senate committees on ways and means	3,500,000
1599-2095	For a reserve to meet the cost of certain salary adjustments and other employee economic benefits authorized by collective bargaining agreements; provided, that 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 eighty-one, such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-one and prior years where the amounts otherwise available are insufficient for the purpose; and provided that the commissioner of administration is further authorized to allocate the cost of such salary adjustments and benefits to the several state or other funds to which such items of appropriation are charged; and provided, further, that copies of each said collective bargaining agreement, together with an analysis of all cost items contained in said agreement and all changes to be made in the schedules of permanent and temporary positions required by said agreement, shall be filed with the house and senate committees on ways and means prior to the transfer or allocation of any amounts necessary to meet the cost of said adjustments and benefits; and provided, further that no such transfers shall be made without the prior approval of the house and senate committees on ways and means; and to meet the costs of salary adjustments and other economic benefits necessary to provide equal salary adjustments or benefits to employees employed in "confidential" position titles which would otherwise be covered by collective bargaining agreements; provided, that notwithstanding paragraph (1) of section forty-six of chapter thirty of the General Laws, the personnel administrator, with the approval of the commissioner of administration, shall determine the salary adjustments or other economic benefits necessary to provide parity for "confidential" employees and employees covered by collective bargaining; provided, that the commissioner of administration is hereby authorized to transfer separately from the transfers hereinabove described from the sum appropriated to other items of appropriation for the fiscal year nineteen hundred and eighty-one, such amounts as are necessary to meet the cost of said adjustments and benefits for the	

Item			
	fiscal year nineteen hundred and eighty-one and prior years where the amounts otherwise available are insufficient for the purpose; and provided, further, that the commissioner of administration is further authorized to allocate the cost of such salary adjustments and benefits to the several state or other funds to which such items of appropriation are charged; and provided that no such separate transfers shall be made without the prior approval of the house and senate committees on ways and means		$30,000,000
1599-3100	For the payment of certain employment security benefits, prior appropriation continued		3,000,000
1599-3210	For a reserve to provide cost of living increases and program adequacy funds for certain existing community-based programs for the mentally ill and mentally retarded in the department of mental health, provided, however, that three million dollars shall be expended to meet the cost of programs newly established, including new community programs for children, and provided, further, that the department shall file quarterly with the house and senate committees on ways and means a status report detailing the expenditures of this item; and provided further, that the commissioner of administration is hereby authorized to transfer from the sum appropriated herein to other appropriation items where the amounts otherwise available for said programs are insufficient, such amounts as are necessary; provided, further, that no transfer shall be made as authorized herein until the existence of the said need shall have been verified by the house and senate committees on ways and means		10,000,000
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		142,580
	EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.		
	Office of the Secretary.		
2000-0100	For the office of the secretary, including not more than five permanent positions		275,955
	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%	

Item		
2000-0140	For the coastal zone management program and to conduct an investigation and study on the feasibility of utilizing tire reefs beneath the coastal waters of the commonwealth for the purpose of revitalizing the ocean bottom, improving our fish spawning areas and preventing beach erosion	$99,200
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	183,300
2010-0100	For the administration and maintenance of the Massachusetts World War II Memorial, prior appropriation continued.	
	Division of Law Enforcement.	
2020-0100	For the administration of the division of law enforcement; provided, however, that each county in the commonwealth shall be assigned at least one full time natural resources officer, including not more than seventy-eight permanent positions	1,359,250
	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	69,700
	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	242,220
	State Recreation Areas Fund 50.0%	
	General Fund 50.0%	
	Department of Environmental Management.	
2100-0100	For the administration of the department, and for the office of planning and data processing, including the expenses of the board of environmental management provided that the position of deputy commissioner of environmental management shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than forty permanent positions	1,067,200
	General Fund 25.0%	
	State Recreation Areas Fund 75.0%	
	Division of Forests and Parks.	
2120-0100	For the administration of the division, including not more than ten permanent positions	191,500
	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	438,300
	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;	

Item		
	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	$467,500
	State Recreation Areas Fund 100.0%	
2120-0302	For the coordination and promotion of a program to encourage bicycle use as an alternative means of transportation, and for the provision of bicycle racks at state office buildings	50,000
	State Recreation Areas Fund 50.0%	
	General Fund 50.0%	
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, provided that not less than four positions shall be assigned to the Blackstone River State Park	4,729,725
	State Recreation 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	5,110,000
	State Recreation Areas Fund 100.0%	
2120-0600	For the maintenance of salt water beaches, including not more than five permanent positions	977,300
	State Recreation Areas Fund 100.0%	
2120-0700	For the maintenance and operation of certain state reservations, including not more than eight permanent positions	269,600
	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 cost of such projects, including employee fringe benefits and indirect cost, as determined by the commissioner of environmental management, including not more than twenty-four permanent positions	640,000
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	1,235,300
2120-1300	For the suppression of insect pests and shade tree diseases, including brown tail moths and Japanese beetles, and including not more than thirty-two permanent positions	350,400
2120-1400	For a program of survey and detection of forest and insect diseases in cooperation with the United States Forest Service; provided, that	

Item		
	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	$41,000
2120-1500	For the administration of the bureau of Urban Services, to protect and manage urban natural and historic resources, and to promote the utilization of the Urban Park System, including not more than three permanent positions	55,737
2120-1600	For providing public transportation assistance to the recreation areas and facilities of the Boston Harbor Islands	58,850
	Division of Water Resources.	
2130-0010	For the expenses of the water resources commission, including not more than seven permanent positions	44,250
2130-0100	For the administration of the division, including programs of water planning, and certain watershed protection and flood control activities, including expenses of certain flood control commissions, including not more than twenty-one permanent positions; provided, that no payment shall be made from this item for the purposes of Article V of the compact, authorized by chapter six hundred and eight of the acts of nineteen hundred and fifty-six	603,200
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	1,000
2130-0500	For the commonwealth's share of the New England river basin commission	48,500
2130-0600	For the administration of a program of wetlands restriction, including not more than five permanent positions	135,500
	Bureau of Solid Waste Disposal.	
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, including not more than seventeen permanent positions	427,500
	Department of Environmental Quality Engineering.	
	Office of the Commissioner.	
2200-0100	For the office of the commissioner, including not more than five permanent positions	183,534
2200-0200	For the payment of space rental and moving expenses for the department	411,774
	Outdoor Advertising Division.	
2210-0100	For the administration of the division, including not more than ten permanent positions	114,700
	Division of Water Pollution Control.	
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-two permanent positions	1,821,832

Item		
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 the New England Interstate Water Pollution Control Compact shall be increased to twenty-one thousand six hundred and ten dollars	$32,885
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 Local Aid Fund 100.0%	1,017,077
2240-0900	For the administration of the collection sewer-grants management, including not more than five permanent positions	122,800
	Bureau of Environmental Sanitation.	
2250-0100	For the administration of the bureau, including not more than forty-eight permanent positions	1,403,031
2250-0150	For the administration of the drinking water quality construction program	68,500
2250-0200	For the administration of the Lawrence experimental station, including not more than thirty-one permanent positions	755,000
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 six permanent positions	420,650
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	155,150
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	13,100
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	112,630
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	75,500
2250-0800	For the administration of the southeastern Massachusetts air pollution control district, to be in addition to any federal funds available for	

Item		
	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	$99,600
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.	
	Division of Air Quality Control.	
2250-1100	For the administration of the division, including not more than two permanent positions	745,000
2260-0100	For the administration of the division of hazardous and solid waste disposal, including not more than five permanent positions	511,000
2260-0200	For the administration of a program to test air and water in the Woburn Industriplex Area for the purpose of determining if a connection exists between hazardous waste deposits and abnormally high instances of cancer in that geographic area	100,000
	Division of Waterways.	
	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.	
2270-0100	For the administration of the division, including not more than fifty-one permanent positions	780,000
2270-0150	For a study to evaluate the flooding problem at Wise Place in the City of Gloucester and to examine all alternative methods to resolve said problem, and the costs attached to said methods including the feasibility of installing a large diameter pipe between said Wise Place and the "Head of the Harbor", so-called, in the City of Gloucester, to enhance the flushing of the North Channel. Such study shall also examine and report on all potential state and federal funding sources necessary to resolve said problem	25,000
2270-0200	For a program of wetland regulations, including not more than eleven permanent positions	267,444
2270-0300	For the administration of the dam-safety program, including not more than three permanent positions	52,000
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 one hundred fifty thousand dollars shall be used for the repair of the Connecticut river dikes at the town of Hadley; 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 land-	

Item

ing; 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 the sum of one hundred thousand dollars shall be used for the dredging of the Dorchester Bay Basin; provided further, that an additional amount not exceeding three hundred thousand dollars shall be used for the dredging of Lynn harbor; provided further, that an additional amount not exceeding three hundred thousand dollars shall be used for the dredging of the channel section of Palmer cove at the entrance to Salem 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; provided further, that an amount not exceeding twelve thousand dollars shall be used for a study of the cause of the pollution of Indian lake in the city of Worcester; provided further, that an amount not exceeding one hundred and five thousand dollars shall be used for dredging the Slocum river in the town of Dartmouth in the Demarest Lloyd landing; provided further, that an amount not exceeding twelve thousand dollars shall be used for an engineering study of the feasibility of dredging McKinstry pond in the town of Oxford; provided further, that an amount not exceeding two hundred and twenty thousand dollars shall be used for the dredging of the Montiquot river in the towns of Braintree and Weymouth, and Sabbatia lake in the city of Taunton; provided further, that an amount not exceeding three thousand dollars shall be used for the dredging of Wellfleet harbor; provided further, that an amount not exceeding four hundred thousand dollars shall be used for dredging of Westport river in the town of Westport; and providing further, that an amount not exceeding three hundred thousand dollars shall be used to dredge the mooring basin of a portion of Sippican harbor in the town of Marion; provided further, that a sum not exceeding five thousand dollars shall be used for an engineering, coastal and marine analysis to study offshore dredging; that a sum not exceeding ten thousand dollars be used to conduct a feasibility study of the control of the outflow of Lake Nipmuc in the town of Mendon, including the development of such engineering plans as may be required; provided further, that an amount not exceeding fifty thousand dollars shall be used for the clearing and dredging of the South River tributary at Pickman Park in the city of Salem; provided further, that a sum not exceeding fifteen thousand dollars be used to conduct a feasibility study of the control of the outflow and the optimum high water level of Webster

Item		
	Lake, located in the town of Webster, including the development of such engineering plans as may be required; and provided that a sum not exceeding ten thousand dollars be used to conduct a feasibility study of the control of the overflow of Lake Whittemore in the town of Spencer, including the development of such engineering plans as may be required, provided, further, that a sum not exceeding one hundred thousand dollars shall be used for riprapping and stream bank erosion control along a portion of the Housatonic River adjacent to East Sheffield Road in the town of Great Barrington; provided further, that a sum not exceeding fifty thousand dollars shall be used to dredge the Housatonic River and stabilize the stream bank in the vicinity of the Park Street bridge in the village of Housatonic; provided further that a sum not exceeding seventy-five thousand dollars shall be used for riprap and general stream repair in Hemlock Brook in Williamstown; provided further that a sum not exceeding thirty-five thousand dollars shall be used to conduct a feasibility study of dredging of the Saugus River in the town of Saugus and to begin the bidding process to accomplish the dredging, prior appropriation continued.	
2270-0700	For the maintenance of property in the town of Plymouth, including not more than two permanent positions	$15,400
2270-0900	For the operation and maintenance of the New Bedford state pier, including not more than two permanent positions	48,800
	Department of Fisheries, Wildlife and Recreational Vehicles.	
	Office of the Commissioner.	
2300-0100	For the office of the commissioner, including not more than five permanent positions	124,400
	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:	
2310-0200	For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board; and payment of damages caused by wild deer, including not more than thirty-one permanent positions	616,000
	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 headquarters, prior appropriation continued	75,000
	Inland Fisheries and Game Fund 100.0%	
2310-0310	For acquisition of upland areas and inholdings on existing wildlife management areas	50,000
	Inland Fisheries and Game Fund 100.0%	

Item		
2310-0315	For the purchase of equipment Inland Fisheries and Game Fund 100.0%	$75,000
2310-0400	For the administration of game farms and wildlife restoration projects, and for wildlife research and management provided that not less than twelve thousand five hundred dollars shall be spent to study the history, status and habitat of the Plymouth red-bellied turtle, including not more than fifty-four permanent positions Inland Fisheries and General Fund 100.0%	1,124,387
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 cooperative 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 Inland Fisheries and Game Fund 100.0%	1,273,187
	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; provided, however, that the position of head administrative assistant shall not be subject to the provisions of chapter thirty-one of the General Laws, prior appropriation continued	79,100
	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-three permanent positions	489,200
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 eight permanent positions	409,619
2330-0300	For marine recreational fisheries including the study of alewife run parameters, the use of coho salmon and anadramous fish, and for fishway projects, including not more than three permanent positions	107,300
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	162,472
2330-0500	For the operation of the shellfish treatment plant at Newburyport	98,100
2330-0600	For a program of self-help to said cities and towns for the cultivation, propagation and protection of shellfish Local Aid Fund 100.0%	300,000
	Division of Marine and Recreational Vehicles.	

Item		
2340-0100	For the administration of the division, including not more than sixty-two permanent positions	$1,139,600

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, provided that the commissioner of the department of the Metropolitan District Commission is hereby authorized to enter into interagency agreements with any other of those state agencies within the executive office of environmental affairs, whereby the department may render data processing services to said agencies; provided further, that the comptroller is hereby authorized to allocate the cost of such services to the several state and other funds to which the items of appropriation of such other agencies are charged, including not more than sixty-two permanent positions	1,430,000
	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 forty per cent shall be allocated to participants in the city of Boston, twenty-five per cent shall be allocated to participants within those cities and towns which comprise the metropolitan parks, sewerage and water districts and thirty-five per cent 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 not more than six hundred and thirteen permanent positions, provided that no water shall be diverted from the Connecticut River by the metropolitan district commission	10,317,300
	MDC Water District Fund 100.0%	
2425-9001	For emergency repairs to water mains, prior appropriation continued	25,000
	MDC Water District Fund 100.0%	
2425-9002	For improvements to supply mains, prior appropriation continued	25,000
	MDC Water District Fund 100.0%	

Item		
2425-9003	For the purchase of certain pipe and valve stock, prior appropriation continued	$27,500
	MDC Water District Fund 100.0%	
	Metropolitan Sewerage District.	
2430-0100	For the maintenance and operation of a system of sewage disposal for the metropolitan sewage district, including not more than five hundred and eighty-eight permanent positions	12,339,300
	MDC Sewerage District Fund 100.0%	
2430-9001	For special sewerage maintenance, prior appropriation continued	1,500,000
	MDC Sewerage District Fund 100.0%	
	Metropolitan Parks District.	
2440-0010	For the maintenance of boulevards and parkways, 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; 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 personnel administrator, including not more than one thousand four hundred and eleven permanent positions; provided, further, that the commission shall not permit access or curb cuts to Chestnut Hill Reservoir Driveway under its control to any proposed development which includes a structure of more than ten stories in height or two hundred feet in height until and unless an environmental impact study is filed with the commission and it is determined that such structure does not adversely effect the use or enjoyment of such premises by the public	32,523,895
	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%	
2440-0013	For increased patrols of Metropolitan District Commission reservations by Metropolitan District police during periods of high fire risk	40,000
	MDC Parks District Fund 100.0%	
2440-0014	For repairs to the John J. Metropolis Memorial Skating Rink, in the town of Canton	300,000
	MDC Parks District Fund 100.0%	
2442-9034	For an investigation of noxious odor at Nahant Bay beaches including an ecodynamic analysis of algae blooms	75,000
	MDC Parks District Fund 100.0%	
2443-3901	For the operation and management of the Franklin park and Walter D. Stone zoological parks	300,000
	MDC Parks District Fund 100.0%	
2444-5511	For a sailing program at Pleasure bay	30,000
	MDC Parks District Fund 100.0%	

Item		
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 that not less than two hundred thousand dollars be spent for Pemberton Pier in Hull; and provided further that the Weymouth landing flood control project be started before April first, nineteen hundred and eighty-one, prior appropriation continued	$1,175,000
	Highway Fund 100.0%	
2444-9002	For the purchase of certain highway maintenance equipment	200,000
	Highway Fund 100.0%	
2444-9004	For certain payments for the maintenance and use of the Trailside museum and the Chickatawbut Hill center	175,000
	MDC Parks District Fund 100.0%	
2444-9005	For the operation of street lighting for parkways and boulevards	2,304,500
	Highway 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	527,600
	Highway Fund 100.0%	
	Construction Division.	
2460-1000	For the maintenance of the construction division, including the personal services and expenses relating to employees previously paid from metropolitan water district bond funds; 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	4,867,200
	MDC Sewerage District Fund 50.0%	
	MDC Water District Fund 50.0%	
	Department of Food and Agriculture.	
2511-0100	For the office of the commissioner, including the expenses of the board of agriculture, and including not more than twenty-three permanent positions	292,700
	Pesticide Bureau.	
2511-0300	For the administration of the pesticide bureau, including not more then seven permanent positions	86,745
2511-2002	For the administration of the division, including not more than two permanent positions	81,000
	Division of Dairying and Animal Husbandry.	
2514-1000	For the office of the division, including not more than sixteen permanent positions	245,100
	Division of Animal Health.	
2515-1000	For the administration of the division, and for the inspection of poultry and poultry products, including not more than twenty-eight permanent positions	462,400
2515-3000	For the reimbursement of owners of diseased cattle slaughtered, and hogs killed, prior appropriation continued.	

Item			
	Division of Markets.		
2516-1000	For the administration of the division, and for programs of quality improvements of dairy products, preparing crop survey reports, and improving roadside markets, including not more than fourteen permanent positions		$295,100
2516-1500	For promoting agriculture in the commonwealth		100,000
	Division of Plant Pest Control.		
2517-1000	For the administration of the division, including apiary inspection, and reimbursement to owners of diseased bees, including not more than five permanent positions		100,200
	Division of Fairs.		
2518-1000	For the administration of the division, including the thoroughbred breeders fund and the Massachusetts Standardbred agricultural fair and breeding fund committees, provided that payments for state prizes and agricultural exhibits, including allotment funds for 4-H activities, may be made from this appropriation, including not more than three permanent positions, prior appropriation continued		422,800
2518-1010	For the display of exhibits at certain fairs, prior appropriation continued		87,500
2518-2000	For certain prizes, prior appropriation continued		200,000
	Division of Milk Control.		
2519-1000	For the administration of the division, including not more than twenty-one permanent positions		195,400
	State Reclamation Board.		
2520-0100	For the administration of the board, including not more than three permanent positions		47,400
	For the expenses of the following mosquito control projects:		
2520-0300	Cape Cod		438,000
	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		423,995
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1100	Berkshire county		279,600
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1200	Norfolk county		330,900
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1300	Bristol county		277,200
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1400	Plymouth county		257,400
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1500	Essex county, city of Revere and town of Winthrop		360,900
	Mosquito and Greenhead Fly Control Fund	100.0%	
2521-0100	For the expenses of the Suffolk County Extension Service provided that the state treasurer shall assess the expenses to the cities and towns in Suffolk county as required in section forty-four A of chapter one hundred and twenty-eight of the General Laws		266,800

Item		
	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	$138,600
	American and Canadian French Cultural Exchange Commission.	
3300-1000	For the expenses of the American and Canadian French cultural exchange commission	8,325
	Administration.	
3700-0100	For the general administration of the department, and for providing funds for local community economic development, provided that the sum of two hundred fifty thousand dollars is awarded to community based organizations for community oriented businesses, including not more than eighty permanent positions	3,179,600
	Division of Community Development.	
3722-9002	For certain financial assistance for housing projects for veterans	4,100,000
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	15,450,000
3722-9005	For reimbursement to housing authorities for deficiencies caused by certain reduced rentals in housing for the elderly and the handicapped pursuant to section forty of chapter one hundred and twenty-one B of the General Laws; provided, that no payment shall be made from this item until the said deficiencies have been certified by the state comptroller; 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	7,050,000
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	23,500,000
3722-9007	For a reserve to meet the cost of emergency maintenance of a housing authority which is of a health and safety nature; provided, that any expenditure from this item shall be subject to the prior approval of the secretary of communities and development; provided also, that this account shall be titled Public Housing Emergency Maintenance, prior appropriation continued	200,000
3722-9008	For reimbursement to housing authorities for deficiencies caused by certain reduced rentals in housing for the handicapped pursuant to section forty of chapter one hundred and twenty-one B of the	

Item		
	General Laws; provided, that no payment shall be made from this item until the said deficiencies have been certified by the state comptroller	$18,732
3722-9101	For reimbursement of cities and towns for the commonwealth's statutory share of federally aided urban renewal Local Aid Fund 100.0%	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 Local Aid Fund 100.0%	929,849
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
3722-9217	For the Massachusetts Home Mortgage Finance Agency to provide technical assistance to local communities establishing Neighborhood Preservation Areas in support of MHMFA's assisted home mortgage program prior appropriation continued.	
	Division of Community Services.	
3731-2003	For expenses of community development and housing program services	594,000
3735-9011	For the administration of the state building code commission	201,000
3735-9013	For reimbursement of cities and towns for the commonwealth's share of relocation payments for costs which have been incurred in relocating persons evicted under Article II of the state sanitary code as required by section thirteen of chapter seventy-nine A of the General Laws as amended and which have been submitted to the executive office of communities and development and are certified as valid, notwithstanding the year cost was incurred Local Aid Fund 100.0%	50,000
3744-4010	For payments of stipends to corpsmen of the commonwealth service corps to be paid at the rate of one hundred ten dollars monthly commencing July first, nineteen hundred and eighty, chapter six hundred and twenty-two of the acts of nineteen hundred and sixty-four, as amended in chapter twenty-three B of the acts of nineteen hundred and sixty-eight, notwithstanding	435,600
3747-0001	For the administration of the commission on indian affairs	36,500
	EXECUTIVE OFFICE OF HUMAN SERVICES.	

Item		
	Office of the Secretary.	
4000-0100	For the office of the secretary, including the hospital revenue collection program and the health facilities appeals board, including not more than five permanent positions	$1,450,000
	Rate Setting Commission.	
4100-0010	For the administration of the commission; provided, that the executive secretary shall be removed only for cause and that the position of director of the bureau of special service rates shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than fifty-one permanent positions	1,500,000
	Massachusetts Commission for the Blind.	
4110-0001	For the office of the commissioner, including not more than thirteen permanent positions	203,577
4110-1010	For aiding the adult blind, prior appropriation continued	9,492,000
4110-1020	For support of a medical assistance program for the blind, including previous fiscal years, and including not more than five permanent positions	16,833,200
	Bureau of Individual Services.	
4110-2010	For administration of a talking book program, including not more than two permanent positions	282,700
4110-2020	For administration of a home teaching program, including not more than nineteen permanent positions	242,797
4110-2030	For administration of a children's services program, including not more than six permanent positions	89,745
4110-2040	For certain social services programs, including not more than fifty-two permanent positions	989,219
	Bureau of Rehabilitation.	
4110-3010	For a program of vocational rehabilitation of the blind in cooperation with the federal government, prior appropriation continued	726,300
	Bureau of Industrial Aid and Workshops.	
4110-4000	For the administration of the bureau, including not more than three permanent positions	43,535
4110-4010	For operation of local shops, including not more than fourteen permanent positions that, notwithstanding any law to the contrary, all revenue accrued through the program of selling blind industries' products and services may be expended without further appropriation subject to the approval of the commissioner of the blind and the state comptroller for said program, including cost of materials, supplies, and equipment, maintenance of industrial facilities and compensation to blind industry employees; and provided further, that this program shall be subject to a full audit and annual report by the state auditor; and provided further, that any unexpended balance in the workshop revolving fund at the close of every fiscal year, shall be transferred to the General Fund	381,003
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	

Item		
	a five-year lease, including not more than eleven permanent positions; provided that notwithstanding any law to the contrary, all revenue accrued through the program of selling blind industries' products and services may be expended without further appropriation subject to the approval of the commission of the blind and the state comptroller for said program, including cost of materials, supplies, and equipment, maintenance of industrial facilities and compensation to blind industry employees; and provided further, that this program shall be subject to a full audit and annual report by the state auditor; and provided further, that any unexpended balance in the workshop revolving fund at the close of every fiscal year, shall be transferred to the General Fund	$805,724
4110-4050	For certain payments to blind persons	241,600
	Bureau of Research.	
4110-5000	For the administration of the bureau, including not more than four permanent positions	43,200
	Massachusetts Rehabilitation Commission.	
4120-0010	For the administration of the commission, provided that the commissioner shall report quarterly to the house and senate committees on ways and means the number of clients served and the amount expended for each type of service provided, including not more than one permanent position, prior appropriation continued	5,950,000
4120-0031	For a program of extended employment for the handicapped under Title XX program	2,018,000
4120-0041	For the administration of the office of deafness, including not more than one permanent position	135,000
4120-0051	For a program of personal care assistance, prior appropriation continued	500,000
4120-0061	For the independent living 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	50,000
	OFFICE FOR CHILDREN.	
4130-0001	For the office of the director, including not more than forty permanent positions	856,595
4130-0002	For a pilot project to ensure the protection of children receiving family day care services, including the establishment of a child abuse monitoring system and the laboratory examination of paint samples from family day care sites to detect the presence of lead paint	150,000
	Region One.	
4131-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	713,000
	Region Two.	
4132-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	632,000
	Region Three.	

Item		
4133-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	$624,141
	Region Four.	
4134-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	795,000
	Region Five.	
4135-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	712,000
	Region Six.	
4136-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	575,000
	Region Seven.	
4137-1000	For the administration of the regional office, including services to children, including not more than nine permanent positions	844,000
	Commissioner of Veterans' Services.	
4170-0010	For the office of the commissioner, including not more than seventy-one permanent positions	890,000
4170-0300	For the payment of annuities to certain disabled veterans	167,000
4170-0400	For reimbursing cities and towns for money paid for veterans' benefits and for payment to certain veterans in accordance with the provisions of the tenth paragraph of section two of chapter one hundred fifteen of the General Laws, prior appropriation continued	8,854,200
	Local Aid Fund 100.0%	
	Soldiers' Home in Massachusetts.	
4180-0100	For the maintenance of the home, including not more than six hundred and fifty-nine permanent positions	9,980,500
	Soldiers' Home in Holyoke.	
4190-0100	For the maintenance of the home, including not more than three hundred and forty-five permanent positions	5,618,300
	DEPARTMENT OF YOUTH SERVICES.	
4200-0010	For the administration of the department, including not more than eighty-two permanent positions	1,804,000
4202-0021	For the purchase of service for certain residential care programs in accordance with the provisions of chapter twenty-eight A of the General Laws, and for certain nonresidential care programs from a list of vendors approved by and on file with the central office of the department; provided, that no expenditure shall be made for residential care under this item unless the rate setting commission, in accordance with the procedure established by section thirty-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	

Item		
	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	$13,055,700
4202-0022	For the establishment and operation of a secure facilities program for youths	3,600,000
4202-0023	For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior approval by the proper federal authorities of the program for which these funds are to be expended	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; provided, that no funds shall be expended from this item for purposes outside of region six without the prior approval of the commissioner of administration and the house and senate committees on ways and means, including not more than sixty-three permanent positions	1,037,000
4223-1010	Detention center in Hampden county, including not more than thirty-two permanent positions	530,000
4224-1010	Secure treatment unit in Worcester county, including not more than thirty-one permanent positions	505,000
4231-1010	Stephen L. French Youth Forestry Camp, including not more than twenty-eight permanent positions	590,000
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-five permanent positions	4,899,000
	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 sixty-six permanent positions	3,814,215
4311-0002	For the federal law enforcement assistance program; provided, that expenditures from this item shall be contingent upon the prior ap-	

Item		
	proval by proper federal authorities of the program for which these funds are to be expended	$75,000
4311-0003	For a half-way house program, including not more than nine permanent positions	1,380,000
4311-0004	For a health service program, including not more than eighty permanent positions	4,330,000
	For the maintenance of and for certain improvements at the following institutions under the control of the department:	
4311-0005	For a prison industries program; 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 eighty-nine permanent employees	2,990,000
4311-0006	Bay State Correctional center at Norfolk	945,000
4311-0008	For a pre-release facility at Park Drive in Boston	500,000
4311-0009	For a program of education services, including not more than two permanent positions	679,000
4312-0001	Correctional institution at Bridgewater, including not more than four hundred and forty-four permanent positions	10,766,000
4313-0001	Correctional institution at Walpole, including not more than three hundred and thirty-nine permanent positions	8,397,500
4313-9002	For the renovation of the kitchen at Walpole, prior appropriation continued.	
4314-0001	Correctional institution at Concord, including not more than two hundred and eighty-four permanent positions	7,698,346
4315-0001	Correctional institution at Framingham, including not more than one hundred and twenty permanent positions	2,936,000
4316-0001	Correctional institution at Norfolk, including not more than two hundred and eighty-five permanent positions	8,260,000
4317-0001	Prison camp at Warwick and pre-release centers, including not more than twenty-six permanent positions	925,000
4341-0001	For a reception diagnostic center at Norfolk	740,000
4342-0001	For a pre-release facility at Morton street in Boston and for the administration of the correction's unit at the Lemuel Shattuck Hospital	920,000
4343-0001	For pre-release centers at Shirley and Lancaster, including not more than eighteen permanent positions	1,840,000
4344-0001	For a Southeastern correctional center, including not more than one hundred and eighteen permanent positions	2,650,000
4345-0001	For pre-release programs at Medfield, Norfolk and Plymouth, including not more than twelve permanent positions	1,065,000
4348-0001	For a medium correctional security facility in north central Massachusetts	947,000
4348-0002	For the purchase of a police cruiser and fire truck, to be maintained by the city of Gardner and for the purchase of a VHF perimeter communications system for communities contiguous to NCCI	175,000

Item		
4348-0004	For the purchase of a fire truck pumper, to be maintained by the town of Wrentham	$85,000

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	2,790,000
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	15,000

DEPARTMENT OF PUBLIC WELFARE.

Notwithstanding any provision of law to the contrary, the department of public welfare shall submit quarterly to the house and senate committees on ways and means a status report on the following subjects: (1) new positions which have been filled, including the date when filled and the program where assigned; (2) caseload in the programs of aid to families with dependent children, general relief, supplemental security income, medical assistance, and food stamps; (3) the error rate in the program of aid to families with dependent children, including an analysis of most frequently occurring errors; (4) payments made under the emergency assistance program, the number of clients receiving benefits, and the amount in each category of assistance; (5) progress in the completion of the medicaid management information system, including the amount spent for such system and a time table for completion; (6) expenditures made in the work incentive program, including the amount expended for services to certified registrants, the number of registrants obtaining employment, and the number of registrants leaving the program of aid to families with dependent children; (7) expenditures made, cases reduced or terminated, and savings generated by the wage reporting system established in the department of revenue; (8) agreements entered into and the amount of collections actually received from activities of the child support enforcement unit; (9) the number of overpaid cases and the amount of recouped funds, separated into cases where the recipients were at fault and were without fault, and the number of overpaid vendors and the amount of recouped funds; (10) the experience of the department in testing a monthly income reporting system in certain welfare service offices.

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	

Item		
	ways and means, provided, further, that the department of public welfare shall maintain a welfare office in the town of Norwood, 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, four hundred and eighty-two permanent positions	$64,310,000
4400-1003	For the administration of the medicaid program, including a central automated vendor payment system and for the development and operation of a medicaid management information system; provided, that any federal funds received for this purpose shall be credited to the General Fund, including not more than sixty-four permanent positions	10,400,000
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 fifty-four permanent positions	5,595,190
4400-1035	For a program of training for assistance payments, medical assistance, and food stamp workers, provided that the federal reimbursements for any expenditures from this item shall not be less than fifty per cent of such expenditure	917,850
4400-1200	For the expenses of operating a food stamp program for eligible persons in the commonwealth; provided, that all federal funds received for the purposes of this item shall be credited to the General Fund; and provided, further, that banking institutions within the commonwealth, the United States postal service, and other agencies shall process the food stamps, including not more than two hundred and eight permanent positions	9,650,000
4400-1400	For a program of health services for certain recipients; provided, that the federal reimbursement for any expenditure from this item shall not be less than seventy-five per cent of such expenditure, including not more than twenty-six permanent positions	1,426,600
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 fiscal 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 forty-five million dollars may be expended from this item for expenses incurred in the prior fiscal	

Item		
	year; and provided, further that no funds appropriated under this item shall be expended for the payment of abortions not necessary to prevent the death of the mother	$920,786,000
4402-5006	For a program of special education medical services provided to medicaid children; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund	4,000,000
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	2,300,000
4402-5300	For a medical assistance program of mental health and mental retardation services pursuant to provisions of Public Law 89-97, Title XIX; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund	13,851,166
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	532,452,861
4405-2000	For the state supplement to the supplemental security income program for the aged and disabled, provided, that the expenses of special grants to recipients residing in rest homes as provided in section seven A of chapter one hundred and eighteen A may be paid from this item	125,188,300
4406-2000	For a program of general relief; provided, 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 six hundred thousand dollars may be expended for said medical services	51,200,000
4408-2000	For a program to provide emergency needs such as those resulting from fire, flood or other disaster, and burials	495,000
4409-3000	For assistance to United States citizens returned from foreign countries and emergency assistance to resettled 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.

Notwithstanding any provision of law to the contrary, applications for all private and federal grants and subventions by the department of public health shall be subject to approval of the commissioner of administration and the house and senate committees on ways and means prior to submission to the grantor. Unless otherwise advised by the ways and means committees in writing within thirty days after receipt of said application, the department may proceed with said application in accordance with existing law.

Item		
4510-0100	For the administration of the department including a longterm care information system for the state medicaid program; provided, that the position of assistant commissioner shall not be subject to chapter thirty-one of the General Laws and provided further that funds in the amount of five hundred thirty thousand dollars shall not be expended if federal 314 (d) block grant funds are received for payment of salaries or expenses for administrative personnel, including not more than fifty-one permanent positions	$3,224,475
4510-0600	For an environmental health program, including control of radiation and nuclear hazards and consumer products protection, including food and drugs; provided, that the 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 six permanent positions	1,930,000
4510-0710	For the administration of the Office of Regulation, including inspection of ambulance services; provided, however, that not less than twenty-two thousand five hundred dollars be expended for meeting the requirement of free hospital care mandated by the federal Hill-Burton Act, 42 U.S.C. 291, including not more than thirty-five permanent positions; and provided, further, that not less than one hundred ten thousand five hundred and ninety-three dollars be expended for the laboratory licensure program authorized by chapter one hundred and eleven D of the General Laws	3,135,000
4510-0750	For the cost of providing certificates of need, as required by section twenty-five C of chapter one hundred and eleven of the General Laws, including not more than one permanent position	445,367
4510-0790	For an office of emergency medical services	282,390
4510-1502	For the administration of the office of state health planning including a health maintenance organization program, provided, however, that not less than seventy-eight thousand three hundred and twenty-six dollars shall be spent for a program to provide technical assistance services to ambulatory health care programs administered by community health centers as referred to in section 330 of the federal Public Health Service Act of 1975, including not more than one permanent position	215,699
4512-0100	For the administration of the division of communicable and venereal disease and a vaccine program, including not more than twenty-six permanent positions	2,436,796
4512-0200	For the administration of the division of alcoholism; provided that not less than two hundred thousand dollars be expended for a South Shore Alcohol Rehabilitation Program, including not more than ten permanent positions	16,347,857
4512-0900	For the administration of a preventive medicine program, including a dental health program, including not more than seven permanent positions	640,633

Item		
4513-1000	For the administration of a family health program, including the high risk for deafness program, and an epilepsy program; provided that the sum of seventy-five thousand dollars may be expended for additional cost of drugs and medications for low-income patients afflicted with epilepsy; and provided further, that not less than seven hundred and sixteen thousand nine hundred dollars be expended for a preschool nursery for crippled children and provided further that a diethylstilbestrol program to identify women who took diethylstilbestrol during pregnancy and their offspring who were exposed prenatally, to educate the public and medical professionals; and to establish screening clinics concerning the symptoms and prevention of associated malignancy and other changes, including not more than fifty permanent positions	$5,852,000
4513-1500	For the administration of local health services, including not more than twenty-seven permanent positions	478,000
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	75,000
4513-2200	For a certain program for the care of infants prematurely born	27,000
4515-0100	For the administration of a tuberculosis program, 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	3,093,738
4516-0100	For the administration of the state laboratory and an equine encephalitis surveillance study; provided, however, that not less than fifty-seven thousand dollars be expended for a rubella screening program; provided, further, that, notwithstanding any provision of law to the contrary, an amount not to exceed one hundred thirty thousand dollars accrued through the program at the institute of laboratories of selling biologic products and performing various laboratory tests may be expended without further appropriation subject to the approval of the commissioner of public health, state comptroller and the house and senate committees on ways and means for said program, including cost of materials, supplies and equipment, maintenance of laboratory facilities and compensation to laboratory employees. This program shall be subject to a full audit and annual report by the	

Item		
	state auditor, including not more than one hundred and sixty-nine permanent positions	$3,907,395
4516-0201	For a program of prevention of lead poisoning, including not more than three permanent positions	706,662
4518-0100	For the administration of the office of health statistics and analysis, including not more than twenty-nine permanent positions	573,337
	For the maintenance of and for certain improvements at the following institutions under the control of the department of public health: Notwithstanding any law to the contrary, all revenue accrued through the public health hospitals, in excess of their appropriation, may be expended without further appropriation subject to the approval of the commissioner of public health and the state comptroller, for said hospitals, including costs of materials, supplies, and equipment, maintenance of hospital facilities, and compensation to employees. This program shall be subject to full audit and annual report by the state auditor.	
4531-0001	Lakeville Hospital Rehabilitation center, including not more than three hundred and twenty-three permanent positions	6,800,000
4532-0001	Lemuel Shattuck hospital, provided, that the salary of the position of superintendent of Lemuel Shattuck hospital may be established without references 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 one permanent positions	15,633,950
4533-0001	Massachusetts hospital school, including not more than three hundred and twenty-eight permanent positions	5,596,103
4534-0001	Pondville hospital, including not more than two hundred and ninety-nine permanent positions	6,010,000
4535-0001	Rutland Heights hospital, including not more than four hundred and forty-nine permanent positions	5,865,850
4536-0001	Tewksbury hospital, including not more than one thousand and eighty-four permanent positions	17,100,000
4537-0001	Western Massachusetts hospital, including not more than two hundred and eighty-eight permanent positions	4,829,044
	DEPARTMENT OF SOCIAL SERVICES.	
	Notwithstanding the provisions of any general or special law to the contrary, the department of social services shall report quarterly to the house and senate committees on ways and means the number, title and job grade of all new personnel hired, by region, including former employees of the department of public welfare; status of the regionalization of programs funded in item 4800-0010; the number of new placements created in all social services in fiscal year nineteen hundred and eighty-one; by region, the amount expended on programs for battered women, day care, foster care, and unwed mothers.	

Item		
	Provided further that, in fiscal year nineteen hundred and eighty-one, the department of social services shall create three hundred new subsidized adoption placements, and one hundred new specialized foster care placements, upgrade one hundred and fifty group care placements for mentally retarded children, increase the current rates for foster care by not more than twenty-one per cent and increase the current rates for subsidized adoptions by not more than thirty-one per cent; and provided further, that the department of social services shall expend a sum not less than seven hundred and fifty thousand dollars on emergency services to battered women.	
4800-0010	For the administration and maintenance of a program of Social Services, including not more than forty-seven permanent positions; provided that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission; and provided further that a sum of two million dollars shall be expended for a demonstration utilizing a sliding fee scale; and provided further, that if less than five hundred thousand dollars of the monies appropriated for said sliding fee scale demonstration has been expended from this item as of January 1, 1981, the commissioner of social services shall, without further appropriation, transfer all funds appropriated for said demonstration not necessary to continue then existing demonstration services to appropriation account 9110-1630	$29,862,612
4800-1025	For certain donated funds programs of training and retraining under Title XX of the Social Security Act; 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 provided further, that the federal reimbursement for any expenditure from this item shall not be 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 the department shall report quarterly to the commissioner of administration and finance and to the house and senate ways and means committees on the total expenditures made and reimbursements received	2,000,000

Item		
4800-1030	For certain in-kind matching programs of training and retraining under Title XX of the Social Security Act; provided, that, notwithstanding any provision of section seventeen B of chapter ten or section twelve of chapter eighteen of the General Laws, the federal reimbursement for the purpose of this item shall not be less than seventy-five per cent of the total of expenditures and in-kind match and shall not be charged against the commonwealth's Title XX federal reimbursement ceiling; and provided further that the department shall report quarterly to the commissioner of administration and finance and to the house and senate ways and means committees on the total expenditures made and reimbursements received	$3,000,000
4800-1040	For certain donated funds programs; provided, that, notwithstanding any provision of section seventeen B 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 provided further that the federal reimbursement for any expenditure from this item shall not be less than seventy-five per cent of such expenditures; and provided further that for donated funds programs of family planning services, 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 ten per cent of such expenditures; and provided further that the federal reimbursement for any expenditure from this item for family planning services shall not be less than ninety per cent of such expenditures	14,519,000
	Region 1.	
4801-0100	For the administration of Region one, including not more than thirteen permanent positions; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund	2,821,447
4801-0200	For a program of social services, including services provided by department personnel, in Region one; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission	16,025,866
4801-1001	For administration and services to facilitate the adoption of certain children in the care of the department, to include the project impact program, including not more than thirteen permanent positions	1,465,051

Item		
	Region II.	
4802-0100	For the administration of Region two, including not more than nine permanent positions; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund	$2,418,578
4802-0200	For a program of social services, including services provided by department personnel, in Region two; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission	11,842,227
	Region III.	
4803-0100	For the administration of Region three, including not more than eleven permanent positions; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund	3,779,134
4803-0200	For a program of social services, including services provided by department personnel, in Region three; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission	20,720,971
	Region IV.	
4804-0100	For the administration of Region four, including not more than thirteen permanent positions; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund	3,100,093
4804-0200	For a program of social services, including services provided by department personnel, in Region four provided, that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission	19,042,003
	Region V.	

Item		
4805-0100	For the administration of Region five, including not more than ten permanent positions; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund	$3,587,746
4805-0200	For a program of social services, including social services by department personnel, in Region five provided, that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission	18,507,721
	Region VI.	
4806-0100	For the administration of Region six, including not more than eight permanent positions; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund	3,645,104
4806-0200	For a program of social services, including social services by department personnel, in Region six provided, that any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; and provided further, that no monies appropriated under this item shall be expended for tutoring or remedial reading of children awarded to the department and attending public schools; and provided further, that all contracts for day care services funded in this item shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission	26,050,603

DEPARTMENT OF MENTAL HEALTH.

Notwithstanding any provision of law to the contrary, the department of mental health shall report quarterly to the house and senate committees on ways and means the status of all existing community-based programs, including the total cost of each program, its client capacity, and the number of clients actually being served.

On August first, nineteen hundred and eighty, the department shall submit to the house and senate committees on ways and means its plan for community placements, including all statistical details identifying both institutional and non institutional clients.

For new program starts, the department of mental health shall report quarterly to the house and senate committees on ways and means expenditures made, by region, for the establishment of new community-based programs; status of community-based programs including starting dates, number of clients served per program, the cost for the start-up month and the cost for the full fiscal year. Notwithstanding any provision of law to the contrary, the department of mental health shall submit, quarterly, in writing, and by region to the house and senate committees on ways and means a status report on the dein-

Item			
		stitutionalization program at all state mental health and retardation facilities, including state schools for the retarded. This shall include the identification of patients to be moved into the community as well as the program in which they will be placed, and the dates on which they are to be deinstitutionalized. Provided further that the department of mental health shall submit quarterly, in writing, by region and by program, to the house and senate committees on ways and means status reports on the Individual Service Plans, "ISPs", of clients deinstitutionalized from July first, nineteen hundred and eighty through June thirtieth, nineteen hundred and eighty-one.	
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 two hundred and ninety-six permanent positions; provided, that the position of assistant to the commissioner of mental health (executive in mental retardation) shall not be subject to the provisions of chapter thirty-one of the General Laws	$7,913,000
5011-0010	For	educational services for adult clients of the bureau of institutional schools	3,400,000
5011-0011	For	a consolidated laundry program, including not more than two hundred and ninety-two permanent positions	2,934,000
5011-9002	For	intensive care services to emotionally disturbed women, provided, however, that the department shall submit, to the house and senate committees on ways and means, on a quarterly basis a report of the status of said services, including the number and location of clients served, as well as the total cost per client served	200,000
5011-9005	For	an audit team to provide management and fiscal auditing of all department community based services	170,000
5013-0100	For	the office of the division of drug rehabilitation, including not more than seventeen permanent positions and further provided that the division shall not license any new drug rehabilitation program or clinic until and unless it has made a determination of community need in the area where the clinic or the program is to be located	3,629,772
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 provided, that, notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws, no interchange between any subsidiary account and the subsidiary account entitled "02, Salaries, other" shall be authorized unless and until the department obtains the prior written approval of the house and senate committees on ways	

Item		
	and means; and provided, further, that not less than two hundred thousand dollars be expended for a community-based statewide dental program for the mentally retarded	$49,660,763
5017-0100	For the office of the court monitor	229,330
5023-0100	For the establishment of a client centered data collection and monitoring system for mental health programs	30,000
5026-0100	For the expansion and upgrading of services to the retarded at the Fernald and Wrentham state schools, and the Dever school in accordance with 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	8,556,000
	Region One.	
5100-0100	For the administration of mental health and mental retardation services in the following catchment areas and facilities in region one: Berkshire, Franklin/Hampshire, Holyoke/Chicopee, Springfield, Westfield, and including services located at the Northampton state hospital; provided that the allocation of funds for the purposes of this item shall be subject to the prior approval of the commissioner of administration, including not more than one thousand and seventeen permanent positions	34,073,000
5183-0100	For the maintenance of the Belchertown state school, including not more than seven hundred and fifty permanent positions	12,397,000
	Region Two.	
5241-0000	For administration, including not more than eleven permanent positions	232,000
5245-0000	For mental health and retardation services; provided that a portion of the funds from this item shall be expended for services to the elderly, including not more than three hundred and four permanent positions	115,247,000
5251-0100	For the maintenance of the North Central Human Services center, including not more than eleven permanent positions	510,000
5252-0100	For the maintenance of the Blackstone Valley mental health center, including not more than forty-seven permanent positions	1,252,000
5271-0100	For the maintenance of the Irving A. Glavin regional center at Shrewsbury, including not more than one hundred and ninety-two permanent positions	2,733,000
5283-0100	For the maintenance of the Monson state hospital, including not more than eight hundred and thirty-eight permanent positions	14,170,188
5295-0100	For the maintenance of the Worcester state hospital, including not more than nine hundred and sixty-nine permanent positions, provided that such funds may be transferred to the appropriate catchment area programs to meet the needs of non-hospitalized patients and patients at risk of hospitalization; and provided further that the allocation of funds for the purposes of this item shall be subject to the approval of the commissioner of administration and verification by the house and	

Item		
	senate committees on ways and means	$10,850,000
5296-0100	For the maintenance of the Rutland Heights psychiatric unit, including not more than one hundred and forty-five permanent positions	1,580,500
	Region Three.	
5300-0100	For the administration of mental health and mental retardation services in the following catchment areas and facilities in region three: Lowell, Lawrence, Haverhill/Newburyport, Cape Ann, Danvers/Salem, Lynn, Eastern Middlesex, Tri-City and including services at Berry and at Danvers state hospital; provided that the allocation of funds for the purposes of this item shall be subject to the prior approval of the commissioner of administration, including not more than one thousand one hundred and eighty-eight permanent positions	34,589,986
5377-0100	For the maintenance of the Charles V. Hogan regional center, including not more than four hundred and forty-eight permanent positions	5,449,000
	Region Four A.	
5441-0000	For administration, including not more than ten permanent positions	200,000
5445-0000	For mental health and retardation services; provided that a portion of the funds from this item shall be expended for services to the elderly, including not more than one hundred and seventeen permanent positions	9,676,000
5451-0100	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 $119,450 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 fifty-two permanent positions	2,767,000
5452-0100	For the purchase of psychiatric services at the Metropolitan-Beaverbrook Mental Health Center	483,000
5453-0100	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	850,000
5483-0100	For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and thirty-seven permanent positions	19,668,000
5495-0100	For the maintenance of the Metropolitan state hospital, including not more than six hundred and sixty-six permanent positions; provided that such funds may be transferred to the appropriate catchment area programs to meet the needs of non-hospitalized patients and patients at risk of hospitalization; and provided further that the allocation of funds for the purposes of this item shall be subject to the approval of the commissioner of administration and verification by the house and senate committees on ways and means	10,000,000
5496-0100	For the maintenance of the William C. Gaebler Children's Center, including not more than one hundred and twenty-two permanent positions	1,800,000

Item		
	Region Five.	
5500-0100	For the administration of mental health and mental retardation services in the following catchment areas and facilities in region five: New Bedford, Brockton, including the Brockton multi-service center, Plymouth, Taunton, Attleboro, Cape Cod, including the Pocasset mental health center, Fall River, including the Dr. John C. Corrigan mental health center and region five core services located at the Taunton state hospital; provided that a portion of the funds from this item shall be expended for services to the elderly, and provided further, that the allocation of funds for the purposes of this item shall be subject to the prior approval of the commissioner of administration and the house and senate committees on ways and means, and provided further that the Regional Intensive Adolescent Program located at the Taunton state hospital shall be operated and staffed by state employees from this item and shall not be provided by a purchase of contracted services, and provided further that not less than seventy-five thousand dollars be spent for the programs of New England Villages located in Pembroke, including not more than one thousand three hundred and forty-five permanent positions	$30,603,000
5551-0100	For a treatment center at Massachusetts correctional institute at Bridgewater, including not more than thirty-six permanent positions	810,000
5583-0100	For the maintenance of the Paul A. Dever school, including not more than eight hundred and eighty-four permanent positions	14,150,000
	Region Six.	
5641-0000	For administration, including not more than eleven permanent positions	246,000
5642-0100	For the maintenance of Boston state hospital, including not more than seven hundred and fifty-two permanent positions; provided that not more than seven hundred fifty thousand dollars may be transferred to the appropriate subsidiary accounts at the Lemuel Shattuck Hospital to support the relocation of the Tufts Bay Cove Unit to the Lemuel Shattuck Hospital; further provided that such transfer is subject to the approval of the commissioner of administration	11,000,000
5645-0000	For mental health and retardation services; provided that a portion of the funds from this item shall be expended for services to the elderly, including not more than thirty-five permanent positions; provided that no less than one hundred thousand dollars shall be used to purchase specialized mental health services for client populations for whom such specialized services are appropriate	9,373,000
5651-0100	For the maintenance of the Massachusetts mental health center; provided, however, that not less than eight hundred and thirty-six thousand dollars be expended for a psychiatric residency program; and provided, further, that this amount will fund three temporary positions at the Allston-Brighton Community Mental Health Center, including not more than three hundred and ninety-six permanent positions	7,436,000

Item		
5652-0100	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	$5,883,000
5653-0100	For the maintenance of the Erich Lindemann mental health center, including not more than two hundred and seventy-five permanent positions	3,983,000
5654-0100	For the maintenance of the Tufts mental health center, including not more than one hundred and eighty-two permanent positions	3,560,645
	Region Four B.	
5841-0000	For administration, including not more than eleven permanent positions	244,000
5845-0000	For mental health and retardation services; provided that a portion of the funds from this item shall be expended for services to the elderly, including not more than one hundred and ninety-nine permanent positions	15,754,000
5883-0100	For the maintenance of the Wrentham state school, including not more than six hundred and sixty-one permanent positions	16,879,000
5895-0100	For the maintenance of the Medfield state hospital, including not more than six hundred and twenty permanent positions; provided that such funds may be transferred to the appropriate catchment area programs to meet the needs of non-hospitalized patients and patients at risk of hospitalization; and provided further that the allocation of funds for the purposes of this item shall be subject to the approval of the commissioner of administration and verification by the house and senate committees on ways and means	7,877,707
5896-0100	For the maintenance of the Westborough state hospital, including not more than eight hundred and sixty-four permanent positions; provided that such funds may be transferred to the appropriate catchment area programs to meet the needs of non-hospitalized patients and patients at risk of hospitalization; and provided further that the allocation of funds for the purposes of this item shall be subject to the approval of the commissioner of administration and verification by the house and senate committees on ways and means	10,138,000
5897-0100	For the maintenance of the Cushing hospital, including not more than seven hundred and ten permanent positions	9,160,000
5898-0100	For the maintenance of the Foxborough state hospital, including not more than thirty permanent positions	1,114,000
	EXECUTIVE OFFICE FOR 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	278,000
	Highway Fund 100.0%	
6000-0160	For certain payments to the Transportation Museum for educational and public programs	75,000

Item			
	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		$83,500,000
	General Fund	80.0%	
	Highway Fund	20.0%	
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		30,195,797
	General Fund	80.0%	
	Highway Fund	20.0%	
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		440,000
	General Fund	80.0%	
	Highway Fund	20.0%	
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		800,000
	General Fund	80.0%	
	Highway Fund	20.0%	
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, provided in fiscal year nineteen hundred and eighty-one		5,600,000
	General Fund	80.0%	
	Highway Fund	20.0%	
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		19,727,400
	Highway Fund	100.0%	
6005-0018	For additional contract assistance to the Massachusetts Bay Transportation Authority for the fiscal year nineteen hundred and eighty-five for the provision of commuter rail service, including the extension of service to the towns of Haverhill and Gardner, in accordance with the provisions of section twenty-eight A of chapter one hundred and sixty-one A of the General Laws; provided however, that the proportion of such additional contract assistance in combination with any federal operating assistance to the costs assessed to said cities and towns received for the same period shall not be less than the proportion of combined		

Item		
	additional state contract assistance and federal operating assistance to said assessments to the cities and towns effective on March first, nineteen hundred and seventy-eight	$4,000,000
	General Fund 80.0%	
	Highway Fund 20.0%	
6005-0027	For payments for certain projects for the construction, reconstruction, and improvement of town and county ways and under subdivision (a) of clause (2) of section thirty-four of chapter ninety and as authorized in clause (c) of section thirteen of chapter sixty-four A of the General Laws	18,081,000
	Highway Fund 100.0%	
6005-0100	For contracts to provide for the operation of commuter boat services	299,000
	Massachusetts Aeronautics Commission.	
6006-0001	For the personal services and expenses of the commissioners, including not more than five permanent positions	3,100
6006-0003	For the administration of the commission, including not more than ten permanent positions	197,500
6006-0051	For the expenses of air navigation facilities	49,500
	DEPARTMENT OF PUBLIC WORKS.	
	Highway Activities.	
	Personal Services.	
6010-0001	For personal services, provided, that all 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	64,200,000
	Highway Fund 100.0%	
	Administrative and Engineering Expenses.	
6020-1900	For the operation and maintenance of the public works building, including not more than fifty-nine permanent positions	1,109,700
	Highway Fund 100.0%	
6020-2401	For the purchase of all administrative and engineering equipment	100,000
	Highway Fund 100.0%	
6020-2501	For certain administrative and engineering expenses of the commission, the office of the public works commissioner and the division of administrative services, telephone service in the public works building, highway engineering, highway maintenance, highway construction and the district and other highway activity offices	3,550,000
	Highway Fund 100.0%	
	Maintenance and Operation of State Highways and Bridges.	

Item			
	Appropriation under this heading may be expended for traffic safety and control on certain city or town ways:		
6030-7201	For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals, prior appropriation continued		$7,800,000
	Highway Fund	100.0%	
6030-7301	For expenses in connection with traffic line painting, including the cost of materials		900,000
	Highway Fund	100.0%	
6030-7401	For the purchase of materials and supplies for the maintenance and operation of state highways and bridges, excluding those specifically provided for in items 6030-7201 and 6030-7301		2,500,000
	Highway Fund	100.0%	
6030-7403	For expenses of fleet management and maintenance equipment, prior appropriation continued		6,000,000
	Highway Fund	100.0%	
6030-7601	For the maintenance and operation of state highways and bridges including the provisions of chapter eight hundred and three of the acts of nineteen hundred and seventy-nine		4,600,000
	Highway Fund	100.0%	
6030-7604	For roadside sanitary facilities		73,500
	Highway Fund	100.0%	
6031-0131	For a property management program, prior appropriation continued		185,000
	Highway Fund	100.0%	
6034-0008	For reimbursements to cities and towns listed in section four of chapter eight hundred and twenty-five of the acts of nineteen hundred and twenty-four 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 eighty-one 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
	Local Aid 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
	Local Aid Fund	100.0%	
	EXECUTIVE OFFICE OF EDUCATIONAL AFFAIRS.		
7000-0001	For the administration of the board of public regents		550,000
	Office of the Secretary.		
7000-0100	For the office of the secretary, including not more than three permanent positions		76,202

Item		
7000-0111	For the administration of the intern program	$40,000
7000-0112	For intern program stipends and payments	75,000
	George Fingold Library.	
7000-0601	For the administration of the library, including not more than thirty-four permanent positions	647,310
	Art Commission.	
7000-0651	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws	700
	Compact for Education.	
7000-0751	For the commonwealth's share of the cost of the compact for education	30,000
7000-0752	For the expenses of the education compact council of Massachusetts	500
	New England Board of Higher Education.	
7000-0801	For expenses of the board, and for compensation and expenses of the members	265,000
7000-0811	For payments to certain universities, 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 the board of higher education; and provided further, that no university located within the commonwealth shall receive money under this appropriation item unless it has submitted to the house and senate committees on ways and means on or before August first, nineteen hundred and eighty a comprehensive plan for the administration by the university of the provision for payback service to the commonwealth and unless said plan has been approved by said committees	1,266,150
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 the board 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	371,800
7000-0814	For the commonwealth's share of the development and operating costs of the Tufts School of Veterinary Medicine	225,290
7000-9101	For the administration and expenses of the board of library commissioners, including not more than twenty permanent positions	416,137
7000-9401	For state aid to regional public libraries Local Aid Fund 100.0%	3,773,608
7000-9501	For state aid to public libraries Local Aid Fund 100.0%	2,952,928

Item		
	DEPARTMENT 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	$2,980,000
7010-0007	For certain payments for the use of the facilities of the Massachusetts World War II Memorial; provided, that children sixteen years of age or under shall be admitted without charge	93,500
7010-0008	For certain payments for the use of the facilities of the children's museum; provided, children in group's sponsored by elementary and secondary schools of the commonwealth shall be admitted without charge	220,000
7010-0009	For certain payments for the use of the facilities of the museum of science	440,000
7010-0010	For certain payments for the use of the facilities of the museum of fine arts; provided, that children age sixteen years or under shall be admitted without charge	137,500
7010-0011	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	25,000
7010-0012	For reimbursement to towns for payments of certain costs incurred under the program for the elimination of racial imbalance; provided that 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 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; provided further that the board of education shall certify to the accuracy of said incremental cost determination to the committee on ways and means before September first, nineteen hundred and eighty; 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	

Item			
	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		$7,861,200
	Local Aid Fund	100.0%	
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
	Local Aid Fund	100.0%	
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
	Local Aid Fund	100.0%	
	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		1,220,123
7027-0014	For the reimbursement of certain towns for the transportation of pupils		333,756
	Local Aid Fund	100.0%	

Item		
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	1,340,000
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 thirty-seven permanent positions	9,690,000
7028-0101	For "incentive grants" to be paid to cities, towns or regional school districts, to pay for the approved costs of educating certain children transferred to local education programs, the amount of such approved costs to be determined in each case by the department of education; provided, that any "incentive grant" payments 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; and provided further, that any educational costs covered by an "incentive grant" payment made under this appropriation shall not be eligible for recovery under section two of chapter seventy of the General Laws	2,400,000
	Local Aid Fund 100.0%	
7028-0302	For the educational expenses of school age children with special needs attending schools under the provisions of section two of chapter seventy-one B of the General Laws; provided, that notwithstanding the provisions of any general or special law to the contrary, all increases in the rate paid to any institution or school for services provided in a prior fiscal year may be funded with monies appropriated herein	14,552,260
7028-0303	For expenses relating to the provisions of special education to certain children to be transferred from the department of public welfare to the department of education; provided that said children were placed by the department of public welfare in a private special education program as of September first, nineteen hundred and seventy-four, have continued to attend such program at the expense of the department of public welfare up to the date of said transfer, and continue to need such special education program; and provided further that the total number of children to be transferred from the department of public welfare to the department of education shall not exceed the number that can be served by the funds available in this appropriation	268,432
	Division of Curriculum and Instruction.	

Item		
7030-0100	For the general administration of the division, including bilingual programs and for the expenses of an educational television program, provided, however, that not more than twenty thousand dollars shall be expended for programming during the period of July first, nineteen hundred and eighty and September twelfth, nineteen hundred and eighty, including not more than seventy-three permanent positions	$1,970,000
7035-0001	For the adult education and extended services program; provided, that the division may, with the approval of the board of education, expend in addition to the sums herein appropriated, and without further appropriation, income derived from such courses as may be conducted at no expense to the commonwealth to an amount not exceeding four hundred thousand dollars, including not more than forty-nine permanent positions, prior appropriation continued	420,422
7035-0004	For the reimbursement of certain towns and regional school districts for the transportation of pupils	38,000,000
	Local Aid Fund 100.0%	
7035-0005	For reimbursement of cities and towns for transportation of pupils in accordance with the provisions of section seven B of chapter seventy-one of the General Laws; provided, that the commonwealth's obligation shall not exceed the amount appropriated herein	700,000
	Local Aid Fund 100.0%	
	Division of School Facilities and Related Services.	
7051-0005	For the general administration of the division, including the school building assistance bureau and the school lunch bureau, and for printing school registers and other school blanks for cities and towns, including not more than forty-four permanent positions	780,000
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 nine-teen 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 in the fiscal year ending June thirtieth, nineteen hundred and eighty-one shall not exceed six million dollars of which amount not more than two million five 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	2,500,000
	Local Aid Fund 100.0%	
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	

Item			
	approved on or after said date on which the first annual payment has been made		$109,664,000
	Local Aid Fund	100.0%	
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, (c) for matching stabilization fund payments as set forth in section nine of said act, and (d) for costs of leasing buildings for vocational programs and originally equipping and furnishing said buildings as set forth in section nine of said act		850,000
	Local Aid Fund	100.0%	
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 allowed 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		362,420
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		6,600,000
	Local Aid Fund	100.0%	
7053-1910	For the reimbursement to cities and towns and partial assistance to private schools for a lunch program for needy elderly persons, prior appropriation continued		690,000
	Local Aid Fund	100.0%	
	Division of State and Federal Assistance.		
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		

Item			
	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		$22,477
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; provided, that notwithstanding any provision of chapter seventy-one or any other general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated herein		42,700,000
	Local Aid Fund	100.0%	
7061-0008	For school aid to cities, towns, regional school districts, counties maintaining agricultural schools, and independent vocational schools under the provisions of chapter seventy of the General Laws, provided, that the total amount of school aid received under said chapter shall not be less than one hundred and seven per cent of the amount of school aid paid under this chapter during the fiscal year ending June thirtieth, nineteen hundred and seventy-nine		716,500,000
	Local Aid Fund	100.0%	
7061-0009	For the reimbursement to cities, towns and regional school districts of the tuition in the public schools of any school age child placed elsewhere than in his home town by, or there under the control of, the department of public welfare or the department of social services, under the provisions of sections seven and nine of chapter seventy-six of the General Laws		4,000,000
	Local Aid Fund	100.0%	
7061-0010	For the reimbursement to cities, towns, and regional school districts of one-half of the cost of recreation programs for school age children with special needs, under the provisions of section eleven of chapter seventy-one B of the General Laws		550,000
	Local Aid Fund	100.0%	
7061-0011	For the reimbursement to cities, towns, regional school districts and independent vocational schools of certain expenditures for the transportation of (a) pupils enrolled in a transitional bilingual education program, under the provisions of section eighty of chapter seventy-one A of the General Laws, (b) children attending a clinical nursery school day care center or other institution for the care, education or treatment of retarded children conducted by an accredited school or college within the commonwealth, and retarded persons attending an educational, habitational or day care program or facility of the department of mental health, under the provisions of section thirteen of chapter seventy-one B of the General Laws, and (c) pupils enrolled in special needs programs, under		

Item			
	section fourteen of chapter seventy-one B of the General Laws		$12,500,000
	Local Aid Fund	100.0%	
	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 cost. Tuition charges as determined in accordance with 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.		
7070-0001	For the administration of the board, including the salary of the chancellor and including not more than thirty permanent positions		450,000
7070-0003	For a reserve to provide funds to the various state universities, state colleges, and community colleges for use in the solicitation of donations from their respective alumnae; provided that the sums herein shall be administered by the board of higher education for the sole purpose above stated; and provided further that as a condition of receiving such funds each institution shall establish a plan of solicitation, which plan shall include the expenditure of such funds for mailings, data processing and personnel only. Each institution shall retain all donations generated by its plan of solicitation except that any institution that receives funds from this reserve shall reimburse the same in full prior to the end of the fiscal year in which the funds were accepted. Each institution receiving funds from this reserve shall file an annual report with the clerk of the house of representatives and of the senate, with the board of higher education, and with the comptroller of the commonwealth, which report shall disclose receipts and expenditures relative herewith		100,000
7070-0006	For a scholarship programs as provided in section one D of chapter fifteen of the General Laws, chapter seven hundred and twelve of the acts of nineteen hundred and sixty-six and section seven B of chapter sixty-nine of the General Laws, as most recently amended, including expenses for the last two prior fiscal years, as well as for senatorial honor scholarships and a state wide program in consortium scholarships to provide an opportunity for pursuing programs in the		

Item		
	private sector that are not presently available in the public sector; provided that all applications for such consortium 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	$14,685,000
	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:	
7101-0001	For the administration of the board, including not more than forty-six permanent positions	480,000
7102-0001	For the purchase of scientific, technological and other educational reference material for the libraries	700,000
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 and seventy-five thousand dollars of this appropriation to the State College of Boston	715,000
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	1,700,000
7108-0100	State college at Boston, including maintenance of the evening undergraduate college and including not more than five hundred and forty-eight permanent positions	10,015,740
7108-0101	State college at Boston, administrative positions, including not more than fifty-one permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than forty-six permanent positions	1,111,040
7108-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	150,000
7109-0100	State college at Bridgewater, including not more than four hundred and forty-four permanent positions	9,677,633
7109-0101	State college at Bridgewater, administrative positions, including not more than fifty-two permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than forty-eight permanent positions	1,103,714
7109-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	137,500
7110-0100	State college at Fitchburg, including not more than four hundred and nineteen permanent positions	8,422,934

Item		
7110-0101	State college at Fitchburg, administrative positions, ininclude not more than forty-four permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than forty permanent positions	$959,019
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	93,055
7111-0100	State college at Framingham, including not more than three hundred and thirty-four permanent positions	6,237,649
7111-0101	State college at Framingham, administrative positions, including not more than thirty-seven permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than thirty-four permanent positions	857,586
7111-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	70,250
7113-0100	State college at North Adams, including not more than two hundred permanent positions	4,484,971
7113-0101	State college at North Adams, administrative positions, including not more than thirty-eight permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than thirty-four permanent positions	744,019
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 sixteen permanent positions	10,489,840
7114-0101	State college at Salem, administrative positions, including not more than sixty permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than fifty-five permanent positions	1,221,594
7114-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	164,500
7115-0100	State college at Westfield, including not more than three hundred and ten permanent positions	6,246,508
7115-0101	State college at Westfield, administrative positions, including not more than thirty-three permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than thirty-one permanent positions	903,000
7115-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	121,250
7116-0100	State college at Worcester, including not more than three hundred and forty-two permanent positions	6,322,515
7116-0101	State college at Worcester, administrative positions, including not more than forty-two permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than thirty-seven permanent positions	867,378

Item		
7116-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	$71,000
7117-0100	Massachusetts college of art, including not more than one hundred and nine permanent positions	2,871,678
7117-0101	Massachusetts college of art, administrative positions, including not more than twenty-two permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than twenty-one permanent positions	550,000
7117-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	31,000
7118-0100	Massachusetts maritime academy and ship, including not more than one hundred and twenty-seven permanent positions	3,707,124
7118-0101	Massachusetts maritime academy and ship, administrative positions, including not more than forty-six permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than forty-five permanent positions	837,000
7118-0121	Massachusetts Maritime Academy Marine Fisheries Education and Training Program	92,660
7118-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	35,000
	University of Lowell.	
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 forty-four permanent positions	20,932,850
7220-0011	University of Lowell, administration positions, including not more than forty-five permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than forty-three permanent positions	1,326,370
7220-0002	For the maintenance of the boarding hall, with the approval of the trustees, including not more than four permanent positions	60,917
7220-9005	For the purchase of scientific, technological, and other educational reference material for the libraries	330,000
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	

Item		
	programs of cultural enrichment	$181,000
7220-9704	For scholarships as authorized by section sixteen of chapter seventy-five A 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 federal student loans program and federal work-study programs	266,000
7225-0001	For the expenses of the energy center, to be in addition to any federal funds made available therefor; and including not more than forty-four permanent positions; provided that the trustees of the university shall institute negotiations with private industry to arrange for the phased assumption of the operational cost of the energy center and that said trustees shall report monthly the progress of same to the house and senate committees on ways and means	701,609
	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 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; including not more than six hundred and seven permanent positions	13,403,300
7310-0001	Southeastern Massachusetts University, administrative positions, including not more than seventy-two permanent positions, which shall be reduced by February, nineteen hundred and eighty-one, to not more than sixty-nine permanent positions	1,529,569
7310-9604	For a program of assistance for students from various racial backgrounds in disadvantaged environment; provided, that expenditures may be made for, but not limited to, scholarships, loans, matching federal and private grants, tutorial assistance and programs of culture enrichment	168,500
7310-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs and for not more than forty scholarships	267,223
7310-9705	For the purchase of scientific, technological, and other educational reference material for the library	220,000
	University of Massachusetts.	
7400-0010	For the office of the president; provided, notwithstanding any provisions of law to the contrary, that no expenditures shall be made available for the maintenance and operation of the office of the president from any other source of funding; including not more than seventeen permanent positions	500,000

Item		
7400-0014	For a general court staff fellowship program, prior appropriation continued.	
7400-0100	For the institute for governmental service, including not more than ten permanent positions	$229,938
7400-0110	For the commonwealth's contribution, to be expended in conjunction with federal funds so authorized for programs of assistance to higher education; provided, that any available public or private funds may also be used in addition to the amount herein appropriated	200,000
7400-0111	For the purchase of scientific, technological and other educational reference materials for the libraries; provided, that the allocation to the Boston campus shall not be less than two hundred and seventy-five thousand dollars, the allocation for the medical school shall not be less than two hundred thousand dollars and the allocation for the Amherst campus shall not be less than five hundred and twenty-five thousand dollars	1,100,000
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	825,000
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	1,815,000
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 three hundred 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	

Item		
	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 three hundred and thirty-five permanent positions	$78,782,598
7410-0001	University of Massachusetts, Amherst, administrative positions, including not more than three hundred and seventy-one permanent positions	8,019,337
7411-1005	For the personal services and expenses of the medical school, including not more than four hundred and eighteen permanent positions; provided, notwithstanding any provision of law to the contrary, the university of Massachusetts board of trustees shall institute and maintain learning contracts for students admitted on or after 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	12,717,270
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 pursuant to the provisions of section eleven of chapter seventy-five of the General Laws, and may in accordance with said section eleven 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 university 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; provided further than no expenditure shall be made from this appropriation without the prior written approval of the house and senate committees on ways and means, including not more than one thousand and twenty-five permanent positions	1,000,000
7411-1066	University of Massachusetts, Medical School, administrative positions, including not more than thirty permanent positions; provided that no funds shall be expended by the University to advise the trustees or their designees about methods of avoiding the provisions of chapter one hundred and fifty E of the General Laws	1,227,642
7416-1001	For the maintenance of the facilities, of the university in the city of Boston, including not more than eight hundred and eighty-three permanent positions	22,671,471

Item		
7416-1002	University of Massachusetts, Boston, administrative positions, including not more than one hundred and forty-three permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than one hundred and thirty-four permanent positions	$3,337,188
	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-three permanent positions; provided, that the position of president may not be filled	500,000
7501-3004	For the purchase of scientific, technological and other educational reference material	400,000
7501-9604	For a program of assistance for students from various 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	750,000
7502-0100	Berkshire community college, including not more than one hundred and fifty-two permanent positions	3,015,314
7502-0101	Berkshire community college, administrative positions, including not more than twenty permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than eighteen permanent positions	411,931
7502-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	29,000
7503-0100	Bristol community college, including not more than one hundred and seventy permanent positions	3,435,838
7503-0101	Bristol community college, administrative positions, including not more than twenty-one permanent positions	575,632
7503-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	75,000
7504-0100	Cape Cod community college, including not more than one hundred and forty-six permanent positions	3,035,105
7504-0101	Cape Cod community college, administrative positions, including not more than twenty-two permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than nineteen permanent positions	470,756
7504-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	41,000
7505-0100	Greenfield community college, including not more than one hundred and thirty-seven permanent positions	2,651,435
7505-0101	Greenfield community college, administrative positions, including not more than eighteen permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than sixteen permanent positions	396,715

Item		
7505-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	$45,000
7506-0100	Holyoke community college, including not more than two hundred and fifty-one permanent positions	4,588,282
7506-0101	Holyoke community college, administrative positions, including not more than twenty-three permanent positions	614,990
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 fifty permanent positions	2,935,384
7507-0101	Massachusetts Bay community college, administrative positions, including not more than twenty-one permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than nineteen permanent positions	435,589
7507-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	20,150
7508-0100	Massasoit community college, including not more than one hundred and eighty-four permanent positions	4,051,967
7508-0101	Massasoit community college, administrative positions, including not more than twenty-six permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than twenty-three permanent positions	545,519
7508-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	50,000
7509-0100	Mount Wachusett community college, including not more than one hundred and fifty-two permanent positions	3,188,123
7509-0101	Mount Wachusett community college, administrative positions, including not more than eighteen permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than sixteen permanent positions	430,000
7509-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	28,000
7510-0100	Northern Essex community college, including not more than two hundred and eleven permanent positions	4,608,033
7510-0101	Northern Essex community college, administrative positions, including not more than twenty-one permanent positions	530,418
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 two hundred permanent positions	5,076,880
7511-0101	North Shore community college, administrative positions, including not more than thirty-one permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than thirty permanent positions	714,940
7511-9002	For furnishings and equipment, Lynn Center	200,000

Item		
7511-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	$30,278
7512-0100	Quinsigamond community college, including not more than one hundred and seventy-seven permanent positions	3,246,622
7512-0101	Quinsigamond community college, administrative positions, including not more than twenty-six permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than twenty-three permanent positions	490,975
7512-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	33,000
7514-0100	Springfield technical community college, including not more than three hundred and ten permanent positions	6,376,508
7514-0101	Springfield technical community college, administrative positions, including not more than twenty-four permanent positions	609,406
7514-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	44,000
7515-0100	Roxbury community college, including not more than sixty permanent positions	1,543,673
7515-0101	Roxbury community college, administrative positions, including not more than fifteen permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than fourteen permanent positions	301,596
7515-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	40,000
7516-0100	Middlesex community college, including not more than one hundred and eighteen permanent positions	2,227,546
7516-0101	Middlesex community college, administrative positions, including not more than sixteen permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than fifteen permanent positions	400,100
7516-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	25,000
7518-0100	Bunker Hill community college, including not more than one hundred and sixty-six permanent positions	3,693,325
7518-0101	Bunker Hill community college, administrative positions, including not more than twenty-six permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than twenty-three permanent positions	567,384
7518-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	106,700
	Council on the Arts and Humanities.	
7700-0001	For the administration of the council, including the expenses of projects and productions of the council provided that not less than seven per cent of said expenses shall be expended on projects and productions which are community based nonprofessional activities to be in addition to any federal funds available for the purpose, prior appropriation continued	4,000,000

Item		
	EXECUTIVE OFFICE OF PUBLIC SAFETY.	
	Office of the Secretary.	
8000-0100	For the office of the secretary, including not more than three permanent positions	$193,076
	Highway Fund 85.0%	
	General Fund 15.0%	
8000-0110	For the administration and operation of the criminal justice information system, including not more than fifty permanent positions	1,861,000
	Highway Fund 50.0%	
	General Fund 50.0%	
	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 a drug education and training program, including not more than seven permanent positions	1,035,603
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	30,000
8200-0225	For the operation of the Massachusetts police institute, including matching funds not to exceed twenty thousand dollars for a federal law enforcement assistance program for police criminal prosecution approved by the proper federal authorities	203,300
	Department of Public Safety.	
8311-1000	For the administration of the department, including not more than ninety-eight permanent positions	1,677,707
	Division of State Police.	
8312-0100	For the administration of the division, provided that an amount not exceeding forty-six hundred dollars shall be used for uniforms, equipment and a portable ring for the state police boxing team, including not more than one thousand one hundred and fifty-seven permanent positions	26,895,760
	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	100,000
	General Fund 15.0%	
	Highway Fund 85.0%	
	Division of Fire Prevention.	
8314-1000	For the administration of the division, including not more than seven permanent positions	147,512
	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 sixty-three permanent positions	1,308,000

Item		
	Board of Boiler Rules.	
8316-1000	For the administration of the board, including not more than four permanent positions	$3,100
	State Boxing Commission.	
8317-1000	For the administration of the commission, including not more than six permanent positions	35,779
	Board of Elevator Regulations.	
8318-1000	For the administration of the board, including not more than seven permanent positions	6,490
	Board of Examiners of Elevator Constructors, Maintenance Men and Repairmen.	
8319-1000	For the administration of the board, including not more than one permanent position	1,300
	Board of Elevator Appeals.	
8320-1000	For the administration of the board, including not more than six permanent positions	1,000
	Architectural Barriers Board.	
8321-1000	For the expenses of the board, including not more than five permanent positions	44,000
	Recreational Tramway Board.	
8322-1000	For the expenses of the board, including not more than four permanent positions	5,000
	Board of Fire Prevention Regulations.	
8340-1000	For the administration of the board, including not more than eight permanent positions	6,400
	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, executive assistant to the registrar, director of law enforcement, RMV, and director of employee relations shall not be subject to the civil service law and rules; including not more than one thousand one hundred and nine permanent positions	20,860,500
	Highway Fund 100.0%	
8400-0002	For the administration of the certificate of title law, including not more than two hundred and three permanent positions	2,598,282
	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 six of the General Laws	1,297,000
	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 training expenditures and fifty per cent for	

Item		
	all other expenditures are eligible for federal reimbursement	$566,675
	EXECUTIVE OFFICE OF MANPOWER AFFAIRS.	
	Office of the Secretary.	
9000-0100	For the office of the secretary, including not more than four permanent positions	131,410
9000-0300	For employment training, counseling and placement to displaced homemakers, as defined in section eleven P of chapter twenty-three of the General Laws, who are not eligible under the provisions of the federal Comprehensive and Training Act of nineteen hundred and seventy-eight	75,000
	Department of Labor and Industries.	
9020-1001	For general administration of the department, including not more than fourteen permanent positions	250,000
9020-1031	For a Joint Labor-Management Committee	254,200
	For the personal services and expenses of the following agencies of the department:	
9020-2001	Division of industrial safety, including not more than ninety-two permanent positions	1,353,000
9020-3001	Division of occupational hygiene, including not more than twenty permanent positions	375,778
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	57,230
9020-4001	Division of statistics, including not more than twenty-six permanent positions	214,300
9020-6001	For the expenses of the department in enforcing the minimum wage laws, including not more than twenty-two permanent positions	299,950
9020-7001	Board of conciliation and arbitration, including not more than eighteen permanent positions	385,000
9020-8001	Division of employment agencies, including not more than three permanent positions	51,940
	Division of Apprentice Training.	
9020-9001	For the administration of the division; provided, that no position in the division shall be subject to chapter thirty-one of the General Laws; including not more than thirty permanent positions	386,700
	Labor Relations Commission.	
9030-1001	For the administration of the commission, including not more than twenty-four permanent positions	585,320
	Division of Industrial Accidents.	

Item		
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	$2,342,780
9050-3000	For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years	7,300,000
	Highway Fund 35.0%	
	General Fund 65.0%	
	Office of Self-Insurance.	
9050-4000	For the service of the office, including not more than six permanent positions	87,800
	Industrial Accident Rehabilitation Board.	
9050-5000	For the service of the board, including not more than six permanent positions	23,910
	Department of Commerce and Development.	
9091-0100	For the administration of the department, including not more than eighty-three permanent positions	1,268,781
	Division of Tourism.	
9091-0200	For the operation of tourist information booths; provided, that one of said information booths shall be located on Route 86 in the town of Sturbridge; and provided further, that no position in this item shall be subject to chapter thirty-one of the General Laws, including not more than eight permanent positions	100,470
9091-0211	For financial assistance for local tourist councils	750,000
9091-0300	For the promotion of vacation travel within the commonwealth; provided, that all expenditures from this item shall be for the exclusive purpose of promoting the commonwealth's vacation and tourist industry; provided further, that no salaries or expenses of employees shall be chargeable to this item	1,000,000
	Division of Economic Development.	
9091-0400	For the promotion of industry into the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	1,250,000
9091-0404	For the expenses of the foreign business council	100,000
9091-0516	For the expenses of the state office of minority business assistance, including not more than three permanent positions	81,086
9091-1004	For the Massachusetts Industrial Finance Agency Insurance Fund established by section thirty-two of chapter twenty-three A of the General Laws.	
	Massachusetts Technology Development Corporation.	
9091-2001	For the expenses of the Massachusetts Technology Development Corporation; provided, that the corporation shall reimburse the commonwealth for the appropriation herein and provided further, that a detailed report of expenditures shall be filed quarterly with the house and senate committees on ways and means	190,000
9091-3001	For the administration of the Massachusetts film bureau	86,782
9091-4001	For the expenses of the Community Economic Development Assistance Corporation established by chapter forty H of the General Laws	50,000

Item		
	EXECUTIVE OFFICE OF ELDER AFFAIRS.	
	Office of the Secretary.	
9100-0100	For the office of the secretary of elder affairs, including not more than five permanent positions	$136,000
9100-1000	For the office of elder affairs, division of administration and program planning, including not more than twenty-eight permanent positions	1,263,000
9110-1620	For an elder service corps; provided, that all funds appropriated under this item shall be for corpsmen stipends and for corpsmen participation in group insurance programs, as set forth in chapter one thousand one hundred and sixty-eight of the acts of nineteen hundred and seventy-three; and provided further, that the stipend for full-time corpsmen shall not exceed the maximum allowable under the earnings limitation sections of the Social Security Act and the stipend for part-time corpsmen shall not exceed one hundred and ten dollars per month	450,000
9110-1630	For a home care program for the elderly eligible for home care services pursuant to regulations adopted by the department which shall include a sliding fee scale system for certain persons ineligible for Title XX services; provided that to the extent practicable the department shall maximize available federal reimbursement for program expenses; provided that no more than two per cent of the funds appropriated hereunder may be used to meet matching requirements of Title III of the Older Americans Act, prior appropriation continued	52,250,000
9110-1635	For certain management improvements in the home care program, including a circuit rider program of technical assistance to implement a needs assessment system in all home care corporations; provided that the department of elder affairs shall develop and implement a differentially weighted case manager to client ratio on or before July first, nineteen hundred and eighty-one; and provided further, that not less than two hundred and fifty thousand dollars of the monies appropriated herein shall be used for a salary incentive program for case managers and supervisors in the home care corporations	306,019
9110-1640	For demonstration projects and for certain studies for the purposes of developing and implementing certain alternative care programs for the elderly	325,000
9110-1660	For a program of congregate and shared housing services for the elderly	250,000
9110-1670	For the administration of a meals program for elderly persons; provided, that to the extent practicable the department of elder affairs shall maximize federal reimbursement for meals served herein	1,600,000
9110-9002	For grants to councils on aging	450,000
	EXECUTIVE OFFICE OF CONSUMER AFFAIRS.	
	Office of the Secretary.	
9200-0100	For the office of the secretary, including not more than two permanent positions	201,220
	State Racing Commission.	

Item		
9210-0001	For the administration of the commission, including not more than twenty-eight permanent positions	$1,323,000
	Alcoholic Beverages Control Commission.	
9212-0001	For the administration of the commission, including not more than fifty-five permanent positions	721,000
	Consumers' Council.	
9214-0001	For the administration of the council, including not more than nine permanent positions	226,400
	Community Antenna Television Commission.	
9215-0001	For the administration of the community antenna television commission, including not more than ten permanent positions	217,000
	Division of Standards.	
9218-0100	For the personal services and expenses of the division of standards, including not more than thirty-four permanent positions	522,877
	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	4,320,000
	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 thirtyone of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioners of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that notwithstanding the provisions of section three of chapter seven hundred and twenty-eight of the acts of nineteen hundred and seventy-five, the provisions of section two of said chapter seven hundred and twenty-eight, including the levels of compensation therein authorized, shall continue to be effective after December thirty-first, nineteen hundred and seventy-eight, including not more than two hundred and seventy-four permanent positions	3,796,700
	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 fifteen permanent positions	427,100
	Division of Registration.	
9230-0001	For the administration of the division; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws, including not more than eighty-five permanent positions	1,505,400
	For the services of the following agencies in the division:	

Item		
9230-0150	Board of registration and discipline in medicine, including not more than eight permanent positions	$387,777
9230-0200	Board of dental examiners, including not more than nine permanent positions	27,300
9230-0300	Board of registration in podiatry, notwithstanding the limitations of section twelve C of chapter thirteen of the General Laws, and including not more than five permanent positions	3,700
9230-0400	Board of registration in pharmacy, including not more than ten permanent positions	112,500
9230-0500	Board of registration of nurses, including not more than fourteen permanent positions	78,900
9230-0600	Board of registration in embalming and funeral directing, including not more than five permanent positions	29,850
9230-0700	Board of registration in optometry, including not more than five permanent positions	4,000
9230-0800	Board of registration in veterinary medicine, including not more than five permanent positions	4,700
9230-0900	Board of registration of chiropractors, including not more than seven permanent positions	7,100
9230-1000	Board of registration of architects, including not more than five permanent positions	5,000
9230-1100	Board of registration of professional engineers and land surveyors	55,100
9230-1200	Board of public accountancy, including not more than ten permanent positions	187,700
9230-1300	State examiners of electricians, including not more than five permanent positions	19,250
9230-1400	Board of state examiners of plumbers and gas fitters, including not more than nine permanent positions	33,100
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-five permanent positions	350,000
9230-1600	Board of registration of electrologists, including not more than five permanent positions	5,200
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	91,600
9230-1800	Board of registration of hairdressers, including not more than seventeen permanent positions	190,900
9230-1900	Board of registration of dispensing opticians, including not more than five permanent positions	1,250
9230-2000	Board of registration of sanitarians, including not more than seven permanent positions	1,200
9230-2100	Board of registration of radio and television technicians, including not more than seven permanent positions	13,700

Item		
9230-2200	Board of registration of landscape architects	$1,600
9230-2300	Board of registration of health officers	2,600
9230-2400	Board of registration of nursing home administrators, including not more than eleven permanent positions	5,500
9230-2500	Board of certification of operators of waste water treatment facilities	2,000
9230-2600	Board of registration of operators of drinking water supply facilities	1,820
9230-2700	Board of registration of psychologists	1,400
9230-2800	Board of registration of social workers	3,850
	Department of Public Utilities.	
9270-0001	For general administration, including not more than eighty-nine permanent positions	1,942,800
	Commercial Motor Vehicle Division.	
9272-0001	For the administration of the division, including not more than forty permanent positions	497,300
	Highway Fund 100.0%	
	EXECUTIVE OFFICE OF ENERGY.	
9300-0001	For the office of the secretary, including not more than one permanent position	173,100
9300-0100	For the administration of the energy resources department	169,800
9300-0200	For the administration of "set-aside" program	175,000
9300-0300	For the administration of the energy conservation and alternative energy development bond program pursuant to section eleven of chapter twenty-five A of the General Laws	344,959
9300-0400	For the administration of the solar action program	135,000
	Energy Facilities Siting Council.	
9300-0500	For the expenses of the energy facilities siting council; provided, that the expenditures from this item to the maximum amount of five hundred twenty-five thousand dollars shall be assessed upon utility companies in accordance with the provisions of chapter one hundred and sixty-four of the General Laws; provided further that the excess over the appropriated amount shall be placed in an expendable trust account, to be spent or maintained from year to year by the council for the limited purpose of reviewing major generating facilities, without further appropriation and not subject to reversion to the General Fund; provided further, that the balance remaining in the expendable trust account shall be deducted from the following year's assessment of the electric and gas companies; provided further that the position of executive secretary of the council shall be exempt from the provisions and requirements of job classification by the personnel administrator under chapter thirty of the General Laws	392,300

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 board of trustees of the University of Lowell shall transfer to the General Fund from the funds received from the operation of said projects the sum of seventy-five thousand dollars for the current fiscal year.

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 fourteen cents a mile.

SECTION 8. Notwithstanding any provision of law to the contrary, amounts appropriated for permanent offices and positions in section two are authorized to be expended at the salary rates indicated in the schedules approved by the house and senate committees on ways and means prior to the passage of this act, a copy of which is filed with the personnel administrator. No part of the sums appropriated in section two shall be available for payment of salaries for any additional permanent positions or for payments due to reallocations of permanent positions, or for payments due to changes in salaries or compensation rates except as approved in said schedules.

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 thirty nor to a position required to correct an inequity determined as provided in sections fifty-three and fifty-six of said chapter thirty.

SECTION 9A. 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 10. All positions vacant or which become vacant other than positions essential for the care of patients, on or after June thirtieth, nineteen hundred and eighty shall remain vacant during the fiscal year nineteen hundred and eighty-one; provided, that vacancies for which there exists a critical need may be filled upon certification of such critical need by the commissioner of administration and certification of such critical need by the house and senate committees on ways and means. No funds shall be allotted for overtime compensation unless it is essential to the safety and care of persons under the care and jurisdiction of the commonwealth.

SECTION 11. 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. The provisions of this section 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 the institutions under the control of said board, and the board of regents; nor shall the provisions of section nine B or section twenty-nine of chapter twenty-nine of the General Laws which are inconsistent with any provision of the General Laws specifically regulating the expenditure of public funds at each of said institutions apply to such expenditures.

Notwithstanding the provisions of section two C of chapter twenty-nine of the General Laws or any other general or special law to the contrary, no grant in excess of one hundred thousand dollars, and no grant which requires an appropriation of state funds for the purpose of matching federal funds, shall be 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 funds in conjunction with services rendered by the commonwealth, except with the approval of the house and senate committees on ways and means; but, unless otherwise provided by the said committees, all grants so received 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.

SECTION 12. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and eighty-one 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 13. The surplus property agency in the board of education, established by section fifty-five of chapter seventy-four of the General Laws, is hereby authorized to expend during the fiscal year nineteen hundred and eighty-one for the purposes of the surplus property agency fund, in addition to amounts available in said fund, an amount not exceeding one hundred thousand dollars; provided, however, that no expenditure or commitment shall be incurred from the amount of the aforesaid one hundred 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 14. 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 eighty-one to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so called, by the federal government through agencies of the federal government in an amount not exceeding five hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding five hundred and fifty thousand dollars, in addition to any amount heretofore provided for said purpose.

SECTION 15. The department of education, the board of education, or any agency of the commonwealth receiving an appropriation under section two of this act, shall not 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 the provisions of any general or special law to the contrary, 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 16. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of administration shall report quarterly to the house and senate committees on ways and means any lease negotiated as provided therein or any agreement providing for a tenancy at will or other rental of space, and any renewal or extension thereof, which has been signed by the executive or administrative head of a state department, court, commission or board or which has been approved by the state superintendent of buildings and by the commissioner of administration; provided that said quarterly report shall include by agency, the amount and location of such rental space, any new or additional space, the duration of the lease or agreement, the cost per square foot of such rental space, any increase or decrease in said cost, and the cost of the preceding lease or agreement.

SECTION 16A. Section seventeen of chapter three hundred and ninety-three of the acts of ninnteen hundred and seventy-nine is hereby repealed.

SECTION 17. No department of the commonwealth shall occupy, or make any expenditure for the maintenance of, any land, buildings or other stateowned or stateoccupied 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 18. No agency of the commonwealth shall make any expenditures for the training, instruction, treatment, support and day care of children authorized under section fortysix I of chapter seventyone and section twentysix of chapter sixtynine and clause (7) of subsection (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 19. Notwithstanding any provision of law to the contrary, all persons eligible for public assistance, as determined by the department of public welfare, under the provisions of chapters one hundred and eighteen A, 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 forty dollars for clothing, personal needs and leisure time activities. If there is no income, or the monthly income is less than forty dollars, the recipient shall be paid monthly in advance the difference between the income and forty dollars a month.

The department of public welfare shall by regulation provide that personal laundry costs shall not be charged to the amount retained by or paid to the recipient pursuant to this section. Personal laundry costs shall instead be reimbursable through the per diem rates established by the rate setting commission.

SECTION 19A. Notwithstanding any provision of law to the contrary, the administrator of any facility licensed pursuant to section seventy-one of chapter one hundred and eleven of the General Laws shall deposit in any bank organized and existing under the laws of the commonwealth funds of any person who is an inpatient or resident at such facility if such administrator agrees to manage such funds at the request of such person, or the fiduciary of such person, or if the administrator is a fiduciary for such person. The words "fiduciary" and "funds" shall have the same meanings found in section one of chapter one hundred and twenty-three of the General Laws. The interest earned by any such funds so deposited will be credited to the individual account of such person. Any violation of this section shall be prima facie evidence in a hearing for the revocation of the license of such facility granted pursuant to section seventy-one of said chapter one hundred and eleven.

SECTION 20. Notwithstanding any provisions of law to the contrary, during the entire fiscal year nineteen hundred and eighty-one for the payment of classified personal services the fiscal year shall be from June twenty-ninth, nineteen hundred and eighty through June twenty-seventh, nineteen hundred and eighty-one.

SECTION 21. Cash disbursements from amounts appropriated from the General Fund in section two of this act shall be charged to federal funds received under the provisions of Title II, Public Law 94-369, and Public Law 92-512 as amended by Public Law 94-488 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 Law.

SECTION 22. 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 eighty, 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 eighty, true copies shall be filed with the group insurance commission no later than sixty calendar days from the effective date thereof.

Where any secretariat, department, board or agency fails to file a copy of such contract, or fails to respond to a reasonable inquiry by the group insurance commission, said commission shall provide a fair hearing to the head of the operating agency to determine the justification for noncompliance. Upon continued failure by the secretariat, department, board or agency head to provide the requested data and information, the commission may vote to withhold payment of the commonwealth's share of the insurance premium applicable to the insured employees of the agency and all such employees only for purposes of payment of insurance premiums, shall be deemed to be absent without pay and shall make payment of the required premium as provided in section eight of chapter thirty-two A.

SECTION 23. The department of public welfare shall require the use of interchangeable drug products as listed in the most recent Massachusetts Drug Formulary, to the extent that such drugs are available, and determined by the prescriber to be appropriate as regulated by the provisions of section thirteen of chapter seventeen of the General Laws.

The provisions of this section shall apply to recipients of medical services authorized by Title XIX of the Social Security Act.

SECTION 24. The department of public welfare shall require a second medical opinion in all elective surgical care as a precondition to reimbursement for such care.

SECTION 25. Notwithstanding the provisions of any general or special law to the contrary, providers of authorized 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. The department may establish regulations which provide exceptions to the ninety day billing limitation for providers of services. Said regulations shall not permit payment of such bills submitted more than one year after the last day of the month in which the goods are sold or the services are provided.

SECTION 26. Notwithstanding the provisions of any general or special law to the contrary, providers of authorized social services under any 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. The department may establish regulations which provide exceptions to the ninety day billing limitation for providers of services. Said regulations shall not permit payment of such bills submitted more than one year after the last day of the month in which the goods are sold or the services are provided.

SECTION 27. The effective date of the appropriation accounts, subsidiary accounts and authorizations in section two of this act shall be July first, nineteen hundred and eighty. Beginning June first, nineteen hundred and eighty, 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 eighty; 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 eighty, 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 eighty, 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 as of June first, nineteen hundred and eighty. Where the allotment of an appropriation account or subsidiary account is required by law, such allotments shall be made as of June first, nineteen hundred and eighty.

SECTION 28. Section 5 of chapter 30A of the General Laws, as most recently amended by section 4 of chapter 459 of the acts of 1976, is hereby further amended by inserting after the first paragraph the following paragraph:-

No rule or regulation so filed with the state secretary shall become effective until 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 has been filed with said state secretary. Said state secretary shall forthwith notify all agencies required to file rules or regulations pursuant to this section.

SECTION 28A. Section forty-three of chapter three hundred and sixty-seven of the acts of nineteen hundred and seventy-eight is hereby repealed.

SECTION 29. Veterans service agents shall, notwithstanding any other provision of law, if agreed to by a veteran applicant, complete applications authorized by the department of public welfare for any veteran, widow and dependent applying for veterans benefits or for medical assistance under chapter one hundred and eighteen E of the General Laws. The veterans agent shall file the application for the veteran if the veteran selects assistance under chapter one hundred and eighteen E. The application shall be processed through the financial structure of the department of public welfare.

Said veteran applicant shall be duly advised of his entitlement of veterans benefits or benefits from public assistance.

SECTION 30. Each member of the general court shall be paid an allowance for each day after prorogation of the general court when on legislative business affairs in accordance with the schedule contained in section nine B of chapter three of the General Laws.

SECTION 31. Notwithstanding the provisions of any general or special law to the contrary, no executive or administrative head of a state department, agency, commission or board shall file a consent decree which would require the expenditure of funds not previously appropriated by the com-

monwealth unless such decree shall have been approved in writing by the commissioner of administration and unless notice of such decree shall have been provided to the house and senate committees on ways and means thirty days prior to the filing of the decree. Such a consent decree filed without such prior approval and notice shall be deemed to be a violation of this section and shall be null and void.

SECTION 32. 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 commissioners shall report to the clerks of the house and senate on or before January first, nineteen hundred and eighty-one, 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 33. A special commission is hereby established to consist of two members of the senate, three members of the house of representatives, one member of the District Attorneys' Association and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the organization, staffing, equipment and other requirements of the operations of each of the district attorneys' office of the commonwealth. 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 March thirtieth, nineteen hundred and eighty-one.

SECTION 34. All monies appropriated for the express purpose of accumulating assets in advance of the payment of retirement allowances shall be invested in a manner pursuant to the provisions of section twenty-three of chapter thirty-two of the General Laws which governs the investment of retirement monies.

SECTION 35. 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 36. Notwithstanding the provisions of section twenty-nine of chapter twenty-nine, section thirty-two of chapter fifteen, section twelve of chapter seventy-three, sections one and eight of chapter seventy-five, section three B of chapter seventy-five A and section six of chapter seventy-five B of the General Laws, and section thirty-one of chapter twelve hundred and thirty of the acts of nineteen hundred and seventy-three, for the fiscal year nineteen hundred and eighty-one, no interchange between any subsidiary account established as prescribed by section twenty-seven of chapter twenty-nine and the account entitled, "08, Heat and other Plant operations", or between any subsidiary account established as prescribed by section twenty-seven of said chapter and the account entitled, "01, Salaries, Permanent Positions", established by said section twenty-seven of said chapter twenty-nine, shall be authorized unless the department, office, commission or institution making such an interchange obtains prior written approval of the commissioner of administration and the house and senate committees on ways and means.

SECTION 37. Whenever the secretary of human services or the secretary of elder affairs anticipates that intake for any service program under the executive office of human services or elder affairs, including the elderly meals program, will be closed to new applicants, the secretary of the affected executive office shall notify the house and senate committees on ways and means and the joint legislative committee on human services of the date of anticipated closure and the reason therefor.

SECTION 38. Chapter 118E of the General Laws is hereby amended by inserting after section 6 the following section:-

Section 6A. The department of public welfare is hereby authorized and directed to contract with independent living centers as defined in 29 USC 796e, on a pre-payment basis, for the provision of and payment for personal care attendant services. The department shall conduct an audit of each independent living center at close of each fiscal year, to ensure that all funds have been expended pursuant to this section or have been returned to the state treasury.

SECTION 39. Effective July first, nineteen hundred and eighty, the department of elder affairs shall increase the financial eligibility limits for home care services, including the sliding fee scale, by a percentage equal to the percentage increase in federal social security benefits for that fiscal year, but not to exceed fourteen and four-tenths per cent; provided, however, that the department shall forward to the house and senate committees on ways and means on or before March first, nineteen hundred and eighty-one, a full report on the status of the home care program audit.

SECTION 40. 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 costs 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 41. All state agencies expending funds under the provisions of this act shall be required to purchase articles and materials pursuant to lists distributed under section fifty-seven of chapter one hundred and twenty-seven of the General Laws.

SECTION 42. No funds appropriated in section two of this act shall be used by any state institution, agency, commission, or department for the purchase of goods manufactured by J. P. Stevens & Company, Inc.; provided, however, that this section shall not effect any contract in existence on the effective date of this act. As of the effective date of this act, all state institutions, agencies, commissions, and departments are hereby prohibited from entering into any contractual agreements to purchase said goods.

SECTION 43. Notwithstanding the provisions of any general or special law to the contrary, any authorization given the treasurer of a county to borrow upon the credit of the county sums necessary for the construction of court facilities for which such sums have not been borrowed and bonds have not been issued prior to July first, nineteen hundred and eighty shall be inoperative until July first, nineteen hundred and eighty-one.

SECTION 44. Section 13 of said chapter 118E as amended by chapter 826 of the acts of 1971, is hereby further amended by adding the following sentence:- This section shall not apply to clients in a facility who, at the time of their application for medical assistance, are eligible for supplementary security income payments under the provisions of Title XVI of the United States Social Security Act on account of mental retardation, or who, being residents of a facility for the mentally retarded, are ineligible for benefits under this chapter on account of assets in excess of the limits provided in Title XIX of the United States Social Security Act.

SECTION 45. Paragraph (a) of section 27 of chapter 123 of the General Laws, as amended by section 55A of chapter 367 of the acts of 1978, is hereby further amended by adding the following three sentences:- The superintendent, subject to regulations of the department, may also petition the probate division of the trial court to appoint a conservator of the property of a mentally retarded person for purpose of transferring into trusts such portion of any dependent funds of a person deposited or otherwise held by the superintendent as may be necessary to establish the eligibility of such person for the medical assistance program under chapter one hundred and eighteen E or for supplemental security income payments under the provisions of Title XVI of the federal Social Security Act. The superintendent may establish such a trust on behalf of a mentally retarded person with independent funds only with the consent of such person. No such funds shall be transferred or held in trust except as is in the best interests of the clients.

SECTION 46. Section 37 of said chapter 123, as amended by section 50 of chapter 925 of the acts of 1973, is hereby further amended by adding the following sentence:- This section shall not apply to any client who is not eligible for benefits under Title XVI or Title XIX of the United States Social Security Act on account of assets in excess of the limits provided for therein; provided, however, that no charge shall be made to such person until the status of the dependent and independent funds of such person has been reviewed by the department pursuant to section four of this chapter.

SECTION 47. Section 32 of said chapter 123, as most recently amended by section 40 of chapter 1229 of the acts of 1973, is hereby further amended by adding the following sentence:- The department shall charge clients at a facility for the mentally retarded, but not the parent, child, spouse, guardian or conservator or other representative of the client, for the full cost of services rendered, as the cost shall be determined by the rate setting commission; provided, however, that no charges shall be assessed against dependent funds of any client deposited or otherwise held by the superintendent.

SECTION 48. Section forty-seven of this act shall take effect on January first, nineteen hundred and eighty-one.

SECTION 49. Upon passage of this act, the department of mental health will make reasonable efforts in a timely fashion, including written notice by registered mail, and notification to next of kin, to give notice of the provisions of sections forty-four through forty-eight, inclusive, of this act to any mentally retarded person with assets in excess of the amounts necessary to establish eligibility for benefits under Title XIX of the United States Social Security Act, and to the parent and guardian of each such mentally retarded person and to the conservator of the property of each such mentally retarded person. Notice shall also be sent to each fiduciary who is obliged to register with the department pursuant to paragraph (d) of section twenty-seven of chapter one hundred and twenty-three of the General Laws. Within sixty days after the sending of the written notice by registered mail which is required by this section, each conservator or guardian shall submit to the probate court and to the department of mental health an inventory of the assets of the mentally retarded person. A current inventory which has been filed by a fiduciary pursuant to paragraph (e) of said section twenty-seven, shall be deemed to comply with the above requirement. If the inventory is not filed, the probate court shall at the request of the department appoint a representative of the mentally retarded person to act as the guardian or conservator in accomplishing the purposes of sections forty-four to forty-eight, inclusive, of this act.

SECTION 50. Subject to appropriation, and the approval of the secretary of human services, the department of mental health will establish a program of legal assistance to facilitate the establishment

of trusts in accordance with the provisions of sections forty-four to forty-nine, inclusive, of this act.

SECTION 51. Notwithstanding any general or special law to the contrary, the secretary of human services shall 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 52. 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	$2,120,000
Metropolitan District Parks Fund	1,040,000
Metropolitan District Sewerage Fund	860,000
Metropolitan District Water Fund	1,330,000;

provided, however, that notwithstanding the provisions of item 0612-1000 of section two of this act, the aforesaid amounts shall not be available for expenditure.

SECTION 53. Subject to the provisions of section one hundred and two of chapter thirty-two of the General Laws, the retirement allowance, pension or annuity of every former employee of the commonwealth or of any county, city, town, district, housing or redevelopment authority, or of the Massachusetts Turnpike Authority, or of the Massachusetts Port 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 eighty, be increased by six per cent.

SECTION 54. All sums appropriated under the provisions of this act shall be expended in a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for members of minority groups, women, and handicapped persons. All officials and employees of any agency, board or division of the commonwealth receiving monies under section two shall rigorously take affirmative steps to ensure equality of opportunity in the internal affairs of state government, as well as in their relations with the public, including those persons and organizations doing business with the commonwealth.

Each agency, board or division, in spending appropriated sums and discharging its statutory responsibilities, shall adopt aggressive measures to ensure equal opportunity in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of compensation, inservice or apprenticeship training programs, and all terms and conditions of employment. This affirmative action shall include efforts required to remedy the effects of present and past discriminatory patterns and practices and any action necessary to guarantee equal opportunity for members of minority groups, women, and handicapped persons.

The commissioner of administration and finance shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards or divisions, to determine whether such agencies are complying with the intent of this section. Whenever such noncompliance is determined by the commissioner, he shall hold a public hearing on the matter and report his resulting recommendations to the head of the particular agency, board or division, to the governor, and to the Massachusetts Commission Against Discrimination.

SECTION 55. Section 37 of chapter 6A of the General Laws, as most recently amended by section 2 of chapter 675 of the acts of 1979, is hereby further amended by inserting after the first paragraph the following paragraph:-

The commission shall establish a reasonable application fee to be paid upon the filing of each such application; provided that the fee shall in no event exceed one one-hundredth of one per cent of the applicant hospital's total requested revenue. Filing fees may similarly be imposed upon the filing of second submission for such charge modifications and of budget review submissions pursuant to section thirty-nine.

SECTION 56. Section 33 of said chapter 90 is hereby amended by striking out the paragraph added by section 3 of chapter 713 of the acts of 1963, and inserting in place thereof the following paragraph:-

For every examination for a learner's permit, five dollars.

SECTION 57. Section eight F of chapter ninety of the General Laws is hereby repealed.

SECTION 58. Subdivision (7) of section 33 of said chapter 90 is hereby amended by striking out the tenth paragraph, as most recently amended by chapter 560 of the acts of 1975, and inserting in place thereof the following paragraph:-

For every license to operate a motor vehicle or for the renewal thereof, as classified by the registrar of motor vehicles and set forth in 540 Code of Massachusetts Regulations 2.07 as follows:

For every Class 1 license to operate motor vehicles or for the renewal thereof, thirty dollars; for every Class 2 license to operate motor vehicles or for the renewal thereof, twenty-five dollars; for every Class 3 license to operate motor vehicles or for the renewal thereof, twenty dollars.

SECTION 59. Section 8G of said chapter 90, as appearing in section 1 of chapter 666 of the acts of 1977, is hereby amended by striking out, in line 5, the word "two" and inserting in place thereof the word:- five.

SECTION 60. Said section 33 of said chapter 90 is hereby further amended by striking out the twenty-fourth and twenty-fifth paragraphs and inserting in place thereof the following paragraph:-

For every certified copy of any application or notice filed with the registrar and for every certified or additional copy of a certificate of registration or license, five dollars.

SECTION 61. The definition of "Approved school project" in section 5 of chapter 645 of the acts of 1948 is hereby amended by striking out the second sentence, added by chapter 754 of the acts of 1968, and inserting in place thereof the following sentence:- Approved school project shall also mean any project for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse, in lieu of which, proper utilization of the present educational facilities would require complete structure replacement, which has been approved by the commission for the purposes of sections seven to nine, inclusive.

SECTION 62. The second paragraph of section 6 of chapter 17 of the General Laws, as appearing in section 1 of chapter 504 of the acts of 1968, is hereby amended by adding the following two sentences:- Subject to the bylaws of an institution under the control and supervision of the department, the commissioner may admit to the medical staff thereof physicians and other providers of health care who are not compensated by the commonwealth as either salaried employees or consultants. Such physicians and other providers of health care may directly bill patients and their health insurers or other third-party payors for the clinical services they furnish to patients at such institutions.

SECTION 63. The third paragraph of section 48 of chapter 31 of the General Laws, as appearing in section 11 of chapter 393 of the acts of 1978, is hereby amended by inserting after the twenty-fourth clause the following clause:-

Regional directors in the department of social services.

SECTION 64. Subsection 4 of said section 21 of said chapter 32, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by adding the following paragraph:-

The commissioner of insurance shall promulgate rules and regulations prior to January, nineteen hundred and eighty-one to provide for uniformity in determining those conditions which constitute total incapacitation for further duty as described in sections six and seven. The commissioner shall have access to the full records of all disability pension determinations on any pension filed under any general or special law for disability including accidental disability.

SECTION 65. Subdivision (1) of section 21 of chapter 32 of the General Laws is hereby amended by adding the following paragraph:-

(d) Where the retirement board has made a determination that total disability exists, pursuant to section sixteen, the commissioner of insurance, or his agent, shall review within forty-five days of such determination by the retirement board each action to determine if such decision conforms with the rules and regulations promulgated by the commissioner pursuant to paragraph (a) of subdivision (4). Where the commissioner or his agent determines that the decision of the retirement board does not conform to such rules and regulations, such determination shall be considered a rejection of the decision of the retirement board whereupon the applicant may proceed according to the provisions of paragraph (a) of subdivision (2) of section sixteen.

SECTION 66. Subdivision (3) of section 16 of said chapter 32 is hereby amended by striking out paragraph (a), as most recently amended by section 23 of chapter 826 of the acts of 1967, and inserting in place thereof the following paragraph:-

(a) Any member classified in Group 1, Group 2 or Group 4 who has attained age fifty-five and completed fifteen or more years of creditable service, or any member so classified who has not attained age fifty-five but who has completed twenty or more years of creditable service, or any such member who is a veteran and has completed ten or more years of creditable service, and who is aggrieved by any action taken or decision of a board or the commissioner rendered with reference to his involuntary retirement under the provisions of subdivision (1) of this section or to his removal or discharge as set forth in subdivision (2) of this section, or any member who is aggrieved by any action taken or decision of a board or the commissioner rendered with reference to his dereliction of duty as set forth in section fifteen, may, within thirty days after the certification of the decision of the board, bring a petition in the district court within the territorial jurisdiction in which he resides praying that such action and decision be reviewed by the court. After such notice as the court deems necessary, it shall review such action and decision, hear any and all evidence and determine whether such action was justified. If the court finds that such action was justified the decision of the board or the commissioner shall be affirmed; otherwise it shall be reversed and of no effect. If the court finds that such member was unjustifiably retired, removed or discharged from his office or position he shall be reinstated thereto without loss of compensation. The decision of the court shall be final.

SECTION 67. Said subdivision (3) of said section 16 of said chapter 32 is hereby further amended by striking out paragraph (b), as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:-

(b) Any member whose office or position is subject to chapter thirty-one or to the rules and regulations made under authority thereof, who is aggrieved by any action taken or decision of a board or the commissioner rendered as described in paragraph (a) of this subdivision shall, for the purposes of sections one to twenty-eight inclusive, have and retain such of the rights provided by sections forty-two A, forty-two B, forty-three and forty-five of chapter thirty-one as applied to his particular office or position, and the court shall, in addition to the matters it is required to review

under such sections of chapter thirty-one, affirm or disaffirm the decision of the board or the commissioner as provided for in paragraph (a) of this subdivision.

SECTION 68. The General Laws are hereby amended by inserting after chapter 44 the following chapter:-

CHAPTER 44A.

QUALIFIED BOND ACT.

Section 1. For the purposes of this chapter, unless the context otherwise requires, the following words shall have the following meanings:-

"Board", the emergency finance board established under chapter forty-nine of the acts of nineteen hundred and thirty-three.

"Commissioner", the commissioner of revenue.

"Debt service", payments of principal and interest upon qualified bonds issued pursuant to this chapter.

"Director", the director of the bureau of accounts.

"Distributable aid", distributions to the several cities, towns, and regional school districts under the provisions of section eighteen A and eighteen C of chapter fifty-eight.

"Qualified bonds", those bonds of a city, town or regional school district authorized and issued in accordance with the Qualified Bond Act.

"Qualified Bond Act", chapter forty-four A of the General Laws.

Section 2. Whenever a city, town or regional school district votes, in accordance with law, to incur debt and to issue bonds for any purpose or purposes for which it is authorized by law to borrow, the treasurer of the city, town or regional school district, with the approval of the city council and city manager, if any, or otherwise the mayor in a city, the board of selectmen in a town, or the regional district school committee, as the case may be, may file an application and certified copy of the vote as passed with the board to qualify the bonds pursuant to the provisions of this chapter. Upon receipt of the application, the board shall cause an investigation to be made, taking into consideration the need for the improvements to be financed from the proceeds of the proposed qualified bonds, the ability of the city, town or regional school district and all other entities which include all or any part of its territory to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state local aid payments likely to be made to the city, town or regional school district with the payments to be made on the proposed bonds, and such other factors as the board may deem necessary or advisable. The cost of the investigation shall be assessed against the city, town or regional school district and may be paid from the proceeds of the qualified bonds or of any temporary notes in anticipation of the sale of the bonds. The costs assessed shall in no case be less than two hundred and fifty dollars.

Section 3. If the investigation determines to the satisfaction of the board that such city, town or regional school district should be entitled to issue qualified bonds, the board may by resolution authorize such city, town or regional school district to issue such qualified bonds. In considering any vote submitted to it and before certifying its approval thereof and authorization of qualified bonds, the board may require, in writing, the city council, town meeting or regional district school committee to adopt resolutions restricting or limiting any future proceedings with respect to the authorization of bonds or other matters deemed by the board to affect any estimate made or to be made by it as a result of the investigation made in accordance with section two. Every resolution so adopted shall constitute a valid and binding obligation of the city, town or regional school district running to and enforceable by the board; provided, however, that upon application of the city,

town or regional school district, the board may, after investigation thereof, release the city, town or regional school district from any restrictions or limitations contained in the resolution, if it finds that such release is in the best interests of the city, town or regional school district and will not impair the security of the qualified bonds.

Section 4. Within sixty days after the submission to it of an application under section two, the board shall authorize the issuance of qualified bonds, if it is satisfied that the issuance of qualified bonds is appropriate. The authorization shall be recorded in a resolution adopted by the board. If the board is not satisfied, it shall so indicate by the adoption within said sixty day period of a resolution stating its disapproval of the request. Failure to adopt an authorizing resolution within this sixty day period shall be a denial of the application.

Section 5. All qualified bonds when issued shall contain a recital to the effect that they are issued pursuant to the Qualified Bond Act and are entitled to the benefits of the provisions of this chapter. The final maturity of such qualified bonds shall occur not less than ten nor more than thirty years from the date of issuance without regard to any limitation as to maturities or amounts of annual installments for bonds provided in any other law.

Section 6. Any city, town or regional school district which has been authorized by the board to issue qualified bonds may issue temporary notes in anticipation of the issuance of the qualified bonds to the extent permitted by sections seventeen and seventeen A of chapter forty-four; provided, however, that such notes shall be subject to such additional terms or conditions as may be fixed or required by the board to ensure that funds are borrowed only as needed to meet required payments for construction, development, extension, improvement, or acquisition of the facilities or improvements to be financed by the issuance of the qualified bonds.

Section 7. The treasurer of each city, town or regional school district which issues qualified bonds shall certify to the state treasurer the maturity schedule, interest rate, and dates of payment of debt service on the qualified bonds within ten days after the date of issuance of the qualified bonds. The state treasurer or the paying agents approved by him shall become the paying agents for the principal and interest on such qualified bonds. The state treasurer shall pay such debt service and after payment shall withhold from the distributable aid payable to the city, town or regional school district an amount which will be sufficient to pay the debt service on the qualified bonds or, if the amount of such distributable aid in any year is insufficient for this purpose, from any other amounts payable by the commonwealth to such city, town or regional school district under any provision of law. From the time withheld by the state treasurer, all such distributable aid or other amounts so withheld and paid shall be exempt from being levied upon, taken, sequestered, or applied toward paying the debts of the city, town or regional school district other than for payment of debt service on such qualified bonds.

All costs accruing to the commonwealth as the result of such qualified bond issues, including administrative costs as well as loss of interest income, shall be the liability of the city, town or regional school district and shall be assessed in accordance with section twenty of chapter fifty-eight.

Section 8. The commonwealth hereby covenants with the purchasers, holders and owners, from time to time, of qualified bonds that it will not repeal, revoke, recind, modify, or amend the provisions of section seven so as to create any lien or charge on or pledge, assignment, diversion, withholding of payment, or other use of or deduction from any distributable aid or other amounts to be paid to any holder of qualified bonds which is prior in time or superior in right to the payment required by said section; provided, however, that nothing herein contained shall be deemed or construed to require the commonwealth to continue to make payments of distributable aid or other amounts or to limit or prohibit the commonwealth from repealing or amending any law heretofore or

hereafter enacted for the payment or apportionment of such aid or other amounts, of the manner, time, or amount thereof.

Section 9. The certification to the state treasurer as to the amount payable in any year for debt service on such qualified bonds shall be fully conclusive as to such qualified bonds from and after the time of issuance of such qualified bonds, notwithstanding any irregularity, omission, or failure as to compliance with any of the provisions of this chapter with respect to such qualified bonds; provided, however, that such qualified bonds contain a recital to the effect that they are entitled to the benefits of the provisions of the Qualified Bond Act. All persons shall be forever estopped from denying that such qualified bonds are entitled to the benefits of the provisions of this chapter.

Section 10. Nothing in this chapter shall be construed to relieve any city or town of the obligation imposed on it by law to appropriate and to include in its annual tax levy amounts necessary to pay, in each year, the principal and interest maturing and becoming due on any qualified bonds issued by such city, town or regional school district; provided, however, that to the extent of the amounts of distributable aid or other amounts payable to such city, town or regional school district which have been withheld and have been or are to be forwarded to the paying agent for such qualified bonds, the state treasurer shall certify to the city auditor or town accountant, or officer having similar duties in a city or town, or to the treasurer of the regional school district, as the case may be, the amounts so withheld and thereafter such amounts shall be credited to the appropriations of the city, town or regional school district for the current fiscal year; and provided, further, that to the extent to which distributable aid is not appropriated by the commonwealth in any fiscal year, such appropriated amounts of the city, town or regional school district shall be used to pay the debt service maturing and becoming due in such year on such qualified bonds of the city, town or regional school district; and provided, further, that amounts of distributable aid and other amounts withheld and paid to a paying agent under section seven shall be included in the estimated receipts certified by the commissioner under section twenty-five A of chapter fifty-eight and used by the assessors in determining the tax rate in accordance with section twenty-three of chapter fifty-nine. The commissioner may promulgate rules and regulations which, in his judgment, ensure that the use and effect of qualified bonds is properly and adequately reported to the public.

Section 11. The provisions of this chapter shall not be construed to prohibit any city, town or regional school district from applying for authorization to issue qualified bonds pursuant to the terms of this chapter in connection with the construction, reconstruction, development, extension, or improvement of property, notwithstanding that the construction, reconstruction, development, extension, improvement or acquisition was authorized, approved or commenced prior to the effective date of this chapter.

Section 11A. The proceedings of the city or town authorizing the issuance of qualified bonds may contain such covenants and provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants restricting the issuance of additional qualified bonds.

Section 12. Nothing in this chapter shall be construed to pledge the credit and assets of the commonwealth to the support of bonds issued pursuant to this chapter or to guarantee payment or stand as surety for the payment of bonds pursuant to this chapter.

SECTION 69. The department of elder affairs shall develop a plan for the provision of a protective services program in the home care program, as established by section four of chapter nineteen A of the General Laws; provided, however, that prior to the implementation of said plan, the secretary of elder affairs shall submit to the house and senate committees on ways and means on a quarterly basis the details of said plan; and provided, further, that said report shall include, but not be

limited to, an estimate of the full cost involved in the provision of protective services, as provided in said section four of said chapter nineteen A and an analysis of the administrative and organizational changes necessary for provision of said services; and provided, further, that, subject to appropriation, the department shall implement said protective services plan on July first, nineteen hundred and eighty-one.

SECTION 70. Notwithstanding the provisions of section twenty-six of chapter ninety-two of the General Laws or any other general or special law to the contrary any amount in excess of five million dollars in the July first, nineteen hundred and eighty beginning balance of the fund established under section twenty-five of chapter ninety-two of the General Laws shall be transferred to the local aid fund as established under the provisions of section two D of chapter twenty-nine of the General Laws and be distributed to the cities and towns in accordance with the provisions of section eighteen C of chapter fifty-eight of the General Laws.

SECTION 71. The second sentence of section 2 of chapter 26 of the General Laws is hereby amended by striking out the words "twenty-seven thousand one hundred and thirty-six", inserted by section 108 of chapter 872 of the acts of 1977, and inserting in place thereof the words:- thirty-five thousand and fifty-three.

SECTION 72. Chapter 21A of the General Laws is hereby amended by adding the following section:-

Section 15. The metropolitan district commission is hereby authorized and directed to establish the Quabbin reservoir advisory board consisting of five members to meet, from time to time, and advise the commission on its policy regarding fishing, boating and other related activities at the Quabbin reservoir. The commissioner shall appoint one person from three names nominated by each of the following organizations: the Massachusetts Council of Sportsmen, the Trout Unlimited, the Quabbin Fishermen's Association, the Worcester County League of Sportsmen and the North Worcester County Quabbin Anglers.

SECTION 73. Section 34 of chapter 262 of the General Laws is hereby amended by striking out, in line 1, the word "The", as appearing in section 1 of chapter 550 of the acts of 1948, and inserting in place thereof the words:-

Unless otherwise established in a town by town meeting action and in a city by city council action; and in a town with no town meeting by town council action, by adoption of appropriate bylaws and ordinances to set such fees, the.

SECTION 73A. The first paragraph of section 22 of chapter 40 of the General Laws, as amended by section 1 of chapter 694 of the acts of 1968, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:-

Except as otherwise provided in section eighteen of chapter ninety and subject, so far as applicable, to section two of chapter eighty-five and sections eight and nine of chapter eighty-nine, a city or town may make ordinances or bylaws, or the board of aldermen or the selectmen or the town council may make rules and orders, for the regulation of carriages and vehicles used therein, and may set penalties for the violation thereof; and may set and receive an annual fee for each license granted to a person to use any such carriage or vehicle therein.

SECTION 73B. Section 8 of chapter 85 of the General Laws, as amended by chapter 88 of the acts of 1960, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The municipal board or officer having charge of the laying out of public ways may grant permits for the placing and maintaining of signs, advertising devices, clocks, marquees, public telephones, telephone booths and other appurtenances thereto, permanent awnings and other like structures projecting into or placed on or over public ways in its town or city, and may fix the fees therefor, and may make rules and regulations relating thereto, and prescribe the penal-

ties for a breach of any such rules and regulations, not to be imposed until after five days' notice to remove the same has been given by such board or officer, or by a police officer of the municipality.

SECTION 73C. Chapter 100 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 2 of chapter 87 of the acts of 1976, and inserting in place thereof the following section:-

Section 2. The licensing authority of any city or town may set a license fee to license any suitable inhabitant thereof, who has resided therein during the six months next preceding the application for such license, to be an auctioneer therein for one year. The licensing authority of any city or town may, upon payment of the license fee set by the city or town, issue a special license to any person not such an inhabitant, to be an auctioneer therein, for days specified in the license, in the sale of real estate, livestock and general farm equipment and produce. The fee for such a special license shall be set by the licensing authority for each of the days specified in the license as aforesaid. Said licensing authority may for any cause deemed satisfactory, and without a hearing, revoke or suspend any license issued under authority of this section. Such licenses shall be signed, in Boston by the police commissioner, elsewhere by the city or town clerk, and shall be recorded in a book kept for that purpose.

SECTION 74. A sum of eighty thousand dollars is hereby appropriated for the purposes of a special committee for the investigation and study of the procurement practices of the commonwealth relative to electronic data processing. Said committee shall consist of three members of the senate to be appointed by the president thereof, and three members of the house of representatives to be appointed by the speaker thereof. Said committee shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and eightyone. The appropriation for this commission shall expire on the thirty-first of December, nineteen hundred and eighty-one.

SECTION 75. A sum of fifty thousand dollars is hereby appropriated for the purposes of a special committee for an investigation and study of the tax implications of allowing deductions for charitable giving. Said committee shall consist of three members of the senate to be appointed by the president thereof, and three members of the house of representatives to be appointed by the speaker thereof. Said committee shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and eighty-one. The appropriation for this commission shall expire on the thirty-first of December, nineteen hundred and eighty-one.

SECTION 76. Section three C of chapter seven of the General Laws is hereby repealed.

SECTION 77. The second sentence of section 6 of said chapter 26 is hereby amended by striking out the words "twenty-eight thousand two hundred and fifty-five dollars", inserted by section 111 of chapter 872 of the acts of 1977, and inserting in place thereof the words:- thirty-five thousand dollars.

SECTION 78. Section 14 of chapter 75 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 659 of the acts of 1966, and inserting in place thereof the following paragraph:-

The trustees shall elect the president and such other officers and members of the professional staff of the university as they deem necessary and shall fix their classification, title and salary within the general salary schedule, except that any such salary shall be fixed at any amount not less than

the minimum salary nor more than the maximum salary shown in said schedule; provided, however, that the trustees may establish the salary for the president, the chancellor, provost, academic deans and members of the professional and teaching staff without reference to the general salary schedule and salary range; and, provided further, that no such salary shall be established for any academic dean or any member of the professional teaching staff unless his classification rating is equal to or higher than that of professor nor shall the number of members of the professional and teaching staff whose salaries may be so established exceed one per cent of the total number of members of the professional and teaching staff together. The trustees shall define the duties and tenure of office of all offices and members of the professional staff, without limitation of any other provision of law.

SECTION 79. All administrators, faculty, professional, and nonpro- fessional employees, on the staff of Boston State College on the effective date of this act shall continue to be employed, without loss of salary or seniority or tenure by the board of trustees of state colleges, or by the board of trustees of the University of Massachusetts, the board of trustees of the University of Lowell, the board of trustees of Southeastern Massachusetts University, or the Massachusetts board of regional community colleges; provided, however, that no employee shall be required to accept employment at an institution of public higher education which would require said employee to travel more than thirty miles in one direction from his principal residence on the said effective date.

SECTION 80. The department of public welfare is hereby prohibited from implementing any savings steps, so-called, with regard to the conservation of income of nursing home residents who are also recipients of medical assistance under chapter one hundred and eighteen E of the General Laws without statutory authorization.

SECTION 81. There shall be allowed and paid out of the state treasury to the town of Dighton, subject to the approval of the commissioner of veterans' services, such sum, not exceeding nineteen thousand one hundred fifteen dollars and sixty-nine cents, as said town would have been entitled to receive in reimbursements for veterans' benefits paid by it from July first, nineteen hundred and seventy-eight through June thirtieth, nineteen hundred and seventy-nine, under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner as required by said section six.

SECTION 82. Notwithstanding the provisions of any law to the contrary, payments made by the department of public welfare under Title XIX of the United States Social Security Act for so-called administratively necessary days in acute care hospitals shall be at rates established by the rate setting commission which reflect the level of care which has been deemed appropriate by the Professional Standards Review Organization as provided in section 249F of Public Law 92-603.

SECTION 83. Chapter 69 of the General Laws is hereby amended by inserting after section 31C the following section:-

Section 31D. No independent college or university shall be eligible to receive payment of matching scholarship grants from the commonwealth unless said college or university shall have been approved by the board of regents in accordance with the provisions of sections thirty and thirty-one.

SECTION 84. Notwithstanding the provisions of any general or special law to the contrary, payments to be made during the nineteen hundred and eighty-one fiscal year by the department of public welfare for authorized medical services, excluding primary care shall be reduced by fifteen per cent of the rates in effect on June thirtieth, nineteen hundred and seventy-five for medical practitioners. The secretary of human services shall file a schedule of rates for medical services established pursuant to this section and a proposed schedule of increased rates for such services with the house and senate committees on ways and means no later than December thirty-first, nineteen hundred and eighty.

SECTION 85. The first sentence of section 14A of said chapter 19, as amended by section 2 of said chapter 189, is hereby further amended by striking out, in line 4, the words ", Westborough state hospital".

SECTION 86. The first paragraph of section 14 of chapter 19 of the General Laws, as amended by section 1 of chapter 189 of the acts of 1979, is hereby further amended by striking out, in lines 8 and 9, the words ", Westborough state hospital".

SECTION 87. Said chapter 19 is hereby further amended by striking out section 15, as amended by section 7 of chapter 864 of the acts of 1977, and inserting in place thereof the following section:-

Section 15. The board of trustees for each of the institutions listed in section fourteen, except the Walter E. Fernald state school, and the Cushing hospital, shall consist of seven members. One member of each board, except as aforesaid, shall annually in January be appointed for seven years from the first Wednesday of the following February by the governor. The board of trustees of the Walter E. Fernald state school shall consist of six members on the part of the commonwealth, one of whom shall annually be appointed for six years by the governor, and of six members to be elected by the school, subject to the approval of the governor. The board of trustees for the Cushing hospital shall consist of fourteen members, and two members of such board shall annually in January be appointed for seven years from the first Wednesday of the following February by the governor. All the above trustees shall serve without compensation, but shall be reimbursed for all expenses incurred in the performance of their duties.

SECTION 88. Group 2 of paragraph (g) of subdivision 2 of section 3 of chapter 32 of the General Laws, as appearing in section 1 of chapter 626 of the acts of 1974, is hereby amended by inserting after the word "county", in line 13, the words:- ; employees of Cushing hospital.

SECTION 89. The members of the board of trustees of the Cushing hospital shall include all trustees who had been either on the board of trustees for Cushing hospital or on the board of trustees for Westborough state hospital on the effective date of this act. Such members shall serve for the term to which they had originally been appointed.

Upon the expiration of the term of a member, his successor shall annually in January be appointed by the governor for seven years from the first Wednesday of the following February.

Said board of trustees shall undertake, as of the first regular meeting of said board, a comprehensive study to plan for the maintenance of quality geriatric care at Cushing hospital. Said board shall file the report of said study with the house and senate committees on ways and means not later than April thirtieth, nineteen hundred and eighty-one.

SECTION 90. Section 2 of chapter 469 of the acts of 1954 is hereby amended by inserting after the first sentence the following sentence:- Cushing hospital shall include as a part thereof the facilities heretofore known as the Westborough state hospital and shall also provide for the care and custody of the mentally ill, provided that Cushing hospital shall be maintained primarily to provide for the care and custody of elderly persons.

SECTION 91. Notwithstanding the provisions of any general or special law or regulation to the contrary, all permanent employees of the department of public welfare appointed to the department of social services shall, in accordance with paragraph (2) of section forty-four of chapter five hundred and fifty-two of the acts of nineteen hundred and seventy-eight, maintain permanent civil service rights at a grade level identical to the permanent status obtained within the department of public welfare. To ensure that said employees are appropriately identified, the commissioner of social services shall submit to the personnel administrator, annually on December first, a list of all permanent department of public welfare employees selected by the department of social services. Said list shall include the employees' current title, account number, position number, civil service sen-

iority date and civil service title carried over from the department of public welfare.

SECTION 92. Notwithstanding any provision of law to the contrary, the commissioner of social services may, with the approval of the secretary of administration and finance, transfer positions and funds from the general administration account in the department of social services into regional accounts in the department of social services; provided that two million dollars, in addition to the funds in items 4800-0010, 4801-0200, 4802-0200, 4803-0200, 4804-0200, 4805-0200, and 4806-0200 of section two of this act, is hereby appropriated for an experimental day care project to provide social service support to working recipients of benefits under the program of aid to families with dependent children; provided further, that such project shall utilize a voucher payment system, so-called, to supplement the present purchased slot system.

SECTION 93. Section 2 of chapter 280 of the General Laws, as most recently amended by section 311 of chapter 478 of the acts of 1978, is hereby further amended by striking out the last sentence and inserting in place thereof the following two sentences:- Forfeitures imposed under the provisions of section one hundred and forty-one of chapter one hundred and forty shall be paid over to the treasury of the city or town wherein the offense was committed. Fines imposed under the provisions of chapters eighty-nine and ninety shall be paid over to the treasury of the city or town wherein the offense was committed; provided, however, that any increase in the amount of such fines over the amount collected in fiscal year nineteen hundred and eighty shall be paid fifty per cent to such city or town and fifty per cent to the state treasurer.

SECTION 94. A special commission is hereby established to investigate and study, as a basis for legislative action, the quality and management of mental health and retardation care and services in the commonwealth. Said investigation and study shall include but need not be limited to consideration of: institutional care; deinstitutionalization; the use of seclusion and restraint; the causes of unexpected deaths; patient abuse; procedures for voluntary and involuntary commitment; contracting and budgeting practices; the effectiveness of public and private mental health programs and facilities; and department of mental health procedures to ensure adherence to existing laws and regulations.

Said commission shall consist of thirteen members, two of whom shall be members of the senate, three of whom shall be members of the house of representatives, and eight of whom shall be members at-large to be appointed by the governor, one shall have expertise in public management; one shall have extensive experience in vendor management, one shall be a registered nurse, one shall be a registered physician with a specialty in psychiatry, one shall be a registered psychologist, one shall be a mental health advocate from the Mental Patient's Liberation Front, and two shall be members of labor unions which represent mental health workers, one each from bargaining unit 2 and bargaining unit 8. No member shall be or have been an employee of the department of mental health within the two years prior to his appointment to the commission.

All institutions, agencies, divisions, and offices of the department as well as any institutions, agencies and other service providers having contracts with the department for direct care to patients shall provide full cooperation to the commission including direct and unrestricted access to all their records, papers, and files, provided that no patient records shall be examined until all personal identifying information has been removed.

The commission shall file the final report of its evaluation and study, together with a draft of legislation necessary to carry its recommendations into effect, with the clerk of the house of representatives on or before March thirty-first, nineteen hundred and eighty-two.

SECTION 95. The sum of one hundred thousand dollars is hereby appropriated for the purposes of the special commission relative to the quality of mental health and mental retardation care and ser-

vices in the commonwealth, established by section ninety-four of this act.

SECTION 96. A six per cent increase in the grant for recipients of the program of aid to families with dependent children and in the grant for recipients of general relief shall be paid beginning July first, nineteen hundred and eighty for the fiscal year nineteen hundred and eighty-one.

SECTION 97. A six per cent adjustment to the budget standards for recipients of veterans' services benefits shall be paid as of July first, nineteen hundred and eighty.

SECTION 98. Section 131 of chapter 6 of the General Laws is hereby amended by adding the following paragraph:-

No person receiving assistance under this section shall be prohibited from receiving benefits under the federal Food Stamp Act solely because of his status as a recipient of such assistance.

SECTION 99. Section 1 of chapter 118A of the General Laws is hereby amended by adding the following paragraph:-

No person receiving assistance under this section shall be prohibited from receiving benefits under the federal Food Stamp Act solely because of his status as a recipient of such assistance.

SECTION 100. The commissioner for the blind and the commissioner of public welfare are hereby directed to enter into negotiations with the proper federal authorities in the Social Security Administration and the Food and Nutrition Service to plan for and to facilitate the implementation of sections ninety-eight and ninety-nine of this act.

SECTION 101. Sections ninety-eight and ninety-nine of this act shall take effect on October first, nineteen hundred and eighty-one.

SECTION 102. Section 2 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 paragraph and inserting in place thereof the following paragraph:-

The candidate shall preserve all receipted bills and accounts required to be kept by this section until the balance in the campaign account to which said records apply is reduced to zero and the account is closed, but in any event at least until the term of the office the candidate is seeking has ended.

Clause (h) of section 18 of said chapter 55, as so appearing, is hereby amended by striking out the eleventh paragraph and inserting in place thereof the following paragraph:-

In addition, the report required to be filed on or before the tenth day of January shall contain a statement detailing the intended or actual disposition of any residual funds. Such residual funds shall not be converted to the personal use of the candidate or any other person except as provided in this paragraph. Such residual funds shall be donated to the Local Aid Fund established under the provisions of section two D of chapter twenty-nine.

Section 25 of said chapter 55, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The director shall retain all statements and reports filed with his office under the provisions of this chapter until the term of the office the candidate is seeking has ended provided that the ending balance on such candidates most recent statement shows no residual funds and no remaining deficit. In the case of a candidate or authorized campaign committee which reports an ending balance of other than zero, the director shall retain all statements and reports and shall require additional annual reports to be filed henceforth on the tenth day of January until such time that the candidate or authorized campaign committee reports an ending balance of zero. In the case of committees other than those authorized by a candidate, the director shall retain all required statements and reports for a period of two years.

SECTION 103. Section 17 of chapter 6 of the General Laws is hereby amended by inserting after

the word "finance", in line 2, as appearing in section 1 of chapter 535 of the acts of 1966, the words:- the board of regents of higher education.

SECTION 104. Section 17A of said chapter 6 is hereby amended by striking out, in line 4, as appearing in section 1 of chapter 704 of the acts of 1969, the words "the secretary of educational affairs".

SECTION 105. Said chapter 6 is hereby further amended by inserting after section 18 the following section:-

Section 18A. There shall be a board of regents of higher education whose membership is established and powers, duties and responsibilities are defined under the provisions of chapter fifteen A.

SECTION 106. Section 2 of chapter 6A of the General Laws, as most recently amended by section 2 of chapter 796 of the acts of 1979, is hereby further amended by striking out, in lines 3 and 4, the words "educational affairs".

SECTION 107. Section fourteen of said chapter six A is hereby repealed.

SECTION 108. Section 4G of chapter 7 of the General Laws, as most recently amended by section 9 of chapter 702 of the acts of 1979, is hereby further amended by inserting after the word "commission", in line 5, the following words:- ; council on the arts and humanities.

SECTION 109. Sections one A to one D, inclusive, of chapter fifteen of the General Laws are hereby repealed.

SECTION 110. Section 18A of said chapter 15 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The state board of education on behalf of any employee of the department of education and the board of regents of higher education on behalf of any employee of its system of public institutions of higher education, the boards of trustees of the Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school, on behalf of any employee at their respective schools, and the board of other body or officer of any other public educational institution maintained and operated by the commonwealth or by any county, on behalf of any employee thereof, may enter into a written agreement with any such employee 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 such employee's includible compensation for any year exceed the total annual salary or compensation under the existing salary schedule for the job group applicable to such employee in such year.

SECTION 111. Sections nineteen to thirty-nine A, inclusive, of said chapter fifteen are hereby repealed.

SECTION 112. The General Laws are hereby amended by inserting after chapter 15 the following chapter:-

CHAPTER 15A.

BOARD OF REGENTS OF HIGHER EDUCATION.

Section 1. It is hereby declared to be the policy of the commonwealth that the purpose and function of the board of regents shall be to develop, foster, and advocate a comprehensive system of public higher education of high quality, flexibility, responsiveness, and accountability. This comprehensive system will enable the citizens of Massachusetts to continue to choose among and have access to a broad spectrum of educational programs and services at all levels of instruction while incorporating a capability to respond to changing economic and social needs of the commonwealth.

To achieve these goals it shall be the responsibility of the board of regents to preserve and promote diversity of institutional mission and function within the public system, ranging from research and graduate instruction on the highest level of academic quality to community service activities ap-

propriate for a publicly supported system, and including the full range of instructional activities appropriate for a comprehensive system of higher education. The board shall further recognize that the desired differentiation and diversity of institutional mission must take into account such issues and concerns as regional needs and characteristics, staffing appropriate to level and type of institution and program, and the needs of changing student population. Persons appointed to the board shall be concerned with the principles of institutional quality, diversity and responsiveness set forth in this paragraph and be qualified to apply them to the maintenance and development of a system of higher education.

The board shall encourage an economical and effective use of the resources of the commonwealth with particular emphasis upon the development of regional and local consortia and related cooperative arrangements by and between public and independent institutions of higher education.

Section 2. The board of regents of higher education, hereinafter referred to as the board of regents, shall consist of fifteen members appointed by the governor. There shall be an office of the board of regents, consisting of a chancellor and employees appointed by said board.

Members of the board of regents shall be appointed to serve five year terms, but no member may be appointed for more than two consecutive terms. In the case of members initially appointed hereunder, three shall be appointed for five years, three shall be appointed for four years, three shall be appointed for three years, three shall be appointed for two years and three shall be appointed for one year. Of the initial members, three shall be chosen from among the appointive members of the board of trustees of the University of Massachusetts, the board of trustees of the University of Lowell, the board of trustees of Southeastern Massachusetts University, the board of trustees of state colleges and board of regional community colleges. Upon the expiration of the term of office of a member, his successor shall be appointed in like manner for a term of five years. A vacancy shall be filled by the governor for the remainder of the term. The chairperson of the board of regents shall forthwith notify the governor of any such vacancy.

The board of regents shall, unless otherwise enumerated, be the successor of the secretary of the executive office of educational affairs, the board of higher education, the board of trustees of state colleges and the board of trustees of regional community colleges, the board of trustees of the University of Lowell, the board of trustees of the University of Massachusetts, the board of trustees of Southeastern Massachusetts University, and shall, have all the duties and exercise the powers previously vested in said secretary and boards, unless otherwise enumerated.

The members of the board of regents shall serve without compensation but shall be reimbursed for all expenses reasonably incurred in the performance of their duties.

No member of said board of regents shall be principally employed by any public educational institution or by the commonwealth. A member of the board of regents shall cease to be a member if such member ceases to be qualified for appointment or if he is absent from five regularly scheduled meetings during any calendar year.

The board of regents shall meet each month except that the chairperson, with the board of regents approval, may omit meetings in the months of July and August, and the chairperson may call additional meetings at other times.

Eight members of the board of regents shall constitute a quorum, and the affirmative vote of eight members shall be necessary for any action to be taken by the board.

The chairperson shall be appointed by the governor from among the members.

Section 3. There shall be, for the purposes of this chapter, a system of public institutions of higher education, hereinafter called the system, which shall include the following institutions: the University of Massachusetts; the University of Lowell; Southeastern Massachusetts University; Boston

State College; Bridgewater State College; Fitchburg State College; Framingham State College; the Massachusetts College of Art; the Massachusetts Maritime Academy; North Adams State College; Salem State College; Westfield State College; Worcester State College; Berkshire Community College; Bristol Community College; Bunker Hill Community College; Cape Cod Community College; Greenfield Community College; Holyoke Community College; Massachusetts Bay Community College; Massasoit Community College; Middlesex Community College; Mount Wachusett Community College; Northern Essex Community College; North Shore Community College; Quinsigamond Community College; Roxbury Community College and Springfield Technical Community College.

The board of regents of higher education shall be the governing authority of the system.

Section 4. The board of regents shall appoint a chancellor, who shall serve at the pleasure of said board. The chancellor shall receive an annual salary of fifty-four thousand and five hundred dollars and such expenses as are approved by the board of regents and which are incurred by him in the discharge of his duties.

The board of regents shall be provided with adequate offices and shall, subject to appropriation, appoint such other employees, to include but not be limited to a director of employee relations, as it deems necessary to carry out its duties and responsibilities under the provisions of this chapter. The board of regents shall also, subject to appropriation, establish the salaries of said employees as indicated in the salary schedules approved by the house and senate committees on ways and means.

The board of regents may delegate its authority or any portion thereof to the chancellor whenever in its judgment such delegation may be necessary or desirable. The chancellor shall exercise any such powers or duties delegated with the full authority of the board of regents in any matter concerning the system of public institutions of higher education subject to the direction and approval of the board of regents.

Section 5. The board of regents shall have the following duties and powers:-

(a) to confer upon the boards of trustees the power to award certain degrees to persons who have satisfactorily completed degree requirements; (b) in addition to the degrees authorized to be awarded under subsection (a), the board of regents may approve the awarding of certain other degrees and may define and authorize new functions or new programs; or consolidate, discontinue or transfer existing functions, educational activities and programs; and may, after a public hearing and submission of a written report to the clerks of the house of representatives and the senate, by a two-thirds vote of the full membership of the board, consolidate, discontinue, or transfer divisions, schools, stations, colleges, branches or institutions as it deems advisable; (c) analyze the present and future goals, needs and requirements of public higher education in the commonwealth and establish overall goals in order to achieve a well-coordinated quality system of public higher education in the commonwealth; (d) prepare a five year master plan for public higher education in the commonwealth, which plan shall take into account the five year plans submitted by individual board of trustees. The master plan shall include, but need not be limited to, enrollment projections, utilization of existing facilities, promotion of research, programmatic excellence, and public service activities, recommendations for closing of facilities or the construction or acquisition of new facilities, program distribution and the need for program revision, including the termination of obsolete or unnecessarily duplicative programs. The master plan shall be filed with the clerk of the house of representatives, the clerk of the senate and the secretary of administration and finance; (e) annually file a detailed progress report on the five year master plan with said clerks and secretary by the first Wednesday in December; (f) require boards of trustees to submit admission standards and program standards, which shall be subject to the approval of the board of regents; (g) develop a rational and equitable statewide tuition plan for all institutions of public higher education in the commonwealth, which plan

shall take into account by type of institution the per student maintenance costs, total mandated costs per student and the need to maximize student access to higher education regardless of a student's financial circumstances. The board shall issue regulations governing the implementation of such tuition plans by the institutions; (h) receive allotments to the commonwealth under federal programs of aid to public higher education and disburse such funds in accordance with a plan promulgated by the board of regents, not to include grants to individuals or grants received directly by institutions; (i) set enrollment levels for each institution in the system; (j) require each institution in the system to submit to the board of regents a five year plan, which plan shall be updated annually; (k) have overall responsibility for the property, real and personal, occupied or owned by the system; (l) subject to its direction and approval, authorize the chancellor to seek, accept and administer grants, gifts and trusts for systemwide purposes from private foundations, corporations, individuals and federal agencies, which shall be administered under the provisions of section two C of chapter twenty-nine of the General Laws and disbursed at the direction of the board of regents pursuant to its authority; (m) from time to time, employ consultants and experts to study and report on matters necessary to the operation of the system; (n) establish, implement and maintain an accounting system as required by the state comptroller; (o) approve and fix the compensation of the chief executive officer of each institution within the system; (p) review periodically, in accordance with post-audit procedures established by the board, the fiscal operations of constituent institutions; (q) require, collect, analyze, maintain such data from institutions and agencies for public higher education as may be relevant to the careful and responsible discharge of its purposes, functions and duties and such data shall include information available from private institutions of higher education; (r) shall issue regulations defining a resident of the commonwealth and proof of the same for the purpose of admission and tuition expenses of public institutions of higher education and prepare uniform proofs of residence to be used by all public institutions; (s) shall establish, where appropriate, coordination between and among post-secondary institutions public or private and resolve conflicts of policies or operations arising in public higher education; (t) develop and implement a transfer compact for the purpose of facilitating and fostering the transfer of students without the loss of academic credit or standing from one public institution to another; (u) shall establish an affirmative action policy and implement a program necessary to assure conformance with such policy throughout the system; (v) in the case of the University of Massachusetts, fix the classification, title and salary within the general salary schedule, of the chief executive officer and such other officers and members of the professional staff of a public institution of higher education as they deem necessary and shall fix their classification, title and salary within the general salary schedule, except that any such salary shall be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in said schedule; provided, however, that the trustees may establish the salary for the president, the chancellor, provost, academic deans and members of the professional and teaching staff without reference to the general salary schedule and salary range; and, provided further, that no such salary shall be established for any academic dean or any member of the professional teaching staff unless his classification rating is equal to or higher than that of professor nor shall the number of members of the professional and teaching staff whose salaries may be so established exceed one per cent of the total number of members of the professional and teaching staff together; (w) in the case of state colleges, fix the classification, title, salary range within the general salary schedule and descriptive job specifications for each position shall be determined by the board of regents for each member of the professional staff and copies thereof shall be placed on file with the governor, budget director, personnel administrator and the joint committee on ways and means, except that any such salary may be fixed at

any amount not less than the minimum salary nor more than the maximum salary shown in said schedule; provided, however, that the board of regents may establish the salary for the chief executive officer and such other officers and members of the professional staff and for the academic deans and members of the professional teaching staff without reference to the general salary schedule and salary range; and, provided further, that no such salary shall be established for any academic dean or any member of the professional teaching staff unless his classification rating is equal to or higher than that of professor, nor shall the number of academic deans and members of the professional teaching staff whose salaries may be so established exceed one per cent of the combined total number of academic deans and members of the professional teaching staff. A notification of each personnel action taken shall be filed by the board of regents with the personnel administrator and with the comptroller; (x) in the case of the University of Lowell, fix the classification, title, salary range within the general salary schedule and descriptive job specifications for each position shall be determined by the board of regents for each member of the professional staff and copies thereof shall be placed on file with the governor, budget director, personnel administrator and the joint committee on ways and means, except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in said schedule; provided, however, that the board of regents may establish the salary for the chief executive officer and such other officers and members of the professional staff and for the academic deans and members of the professional teaching staff without reference to the general salary schedule and salary range; and, provided further, that no such salary shall be established for any academic dean or any member of the professional teaching staff unless his classification rating is equal to or higher than that of professor, nor shall the member of academic deans and members of the professional teaching staff whose salaries may be so established exceed one per cent of the combined total number of academic deans and members of the professional teaching staff. A notification of each personnel action taken shall be filed by the board of regents with the personnel administrator and with the comptroller; (y) in the case of Southeastern Massachusetts University, fix the classification, title, salary range within the general salary schedule and descriptive job specifications for each position shall be determined by the board of regents for each member of the professional staff and copies thereof shall be placed on file with the governor, budget director, personnel administrator and the joint committee on ways and means, except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in said schedule; provided, however, that the board of regents may establish the salary for the chief executive officer and such other officers and members of the professional staff and for the academic deans and members of the professional teaching staff without reference to the general salary schedule and salary range; and, provided further, that no such salary shall be established for any academic dean or any member of the professional teaching staff unless his classification rating is equal to or higher than that of professor, nor shall the number of academic deans and members of the professional teaching staff whose salaries may be so established exceed one per cent of the combined total number of academic deans and members of the professional teaching staff. A notification of each personnel action taken shall be filed by the board of regents with the personnel administrator and with the comptroller; and (z) in the case of regional community colleges, fix the classification, title, salary range of each member of the professional staff within the general salary schedule, except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in said schedule; provided, however, that the board of regents may fix the salary and salary range for the chief executive officer of each individual community college and other officers and members of the professional staff of the regional community college system not exceeding in number one per centum of the total number of such other

officers and members of the professional staff taken together in the regional community college system, without reference to the general salary schedule; and provided further, that no such salary shall be fixed for any such member classed within the one per centum unless he holds a position equivalent to or higher than the rank of professor.

Section 6. The board of regents shall periodically prepare and submit to the budget director an estimate, in detail, for the ordinary maintenance of the entire system of public institutions of higher education, and revenue therefrom, as provided in section three of chapter twenty-nine. Said statement shall include the salaries of all officers and employees within said system and all program costs which are to be borne by any source other than the commonwealth, including such sources as federal financing or federal research, demonstration or training grants, community contributions and other grants, endowments or trusts.

The board of regents shall also periodically submit requests for capital outlay for the entire system of public institutions of higher education to the secretary of administration and finance as provided by section seven of chapter twenty-nine and to the house and senate committees on ways and means. The board of regents shall use the estimates and requests prepared by each board of trustees for the purposes of this section attaching whatever recommendations it may desire or deem necessary. The general court shall appropriate funds in one budgetary item for the entire system of public institutions of higher education.

Funds appropriated to the board of regents shall be disbursed by the board to each board of trustees by the establishment of allocation accounts. Provided that the board of regents shall not allocate an amount less than that appropriated by the general court for the expenses of "01, salaries, permanent positions"; "02, salaries, other"; or "03, services, non-employee" without the prior approval of the commissioner of administration and the house and senate committees on ways and means and provided further that no such funds allocated for the expenses of "01 salaries, permanent" to a board of trustees shall be transferred without the prior approval of the commissioner of administration and the house and senate committees on ways and means.

Except as provided in the preceding paragraph, the board of regents shall not be prevented from amending institutional allocations or reallocating funds among institutions.

Section 7. There shall be a scholarship program administered by the board of regents for the purpose of furnishing aid and assistance to students domiciled in the commonwealth and enrolled in and pursuing a program of higher education in any approved public or independent college, scientific or technical institution, or any other approved institution furnishing a program of higher education. Such aid and assistance shall consist of the awarding of full or partial scholarships to worthy and qualified students in need of financial assistance; provided that not less than ten nor more than twenty-five per cent of the total amount of scholarships awarded in any one year shall be allotted to students at institutions of higher education supported by the commonwealth. The board of regents shall award such scholarships and notify all applicants on or before July first in each year. The board of regents is authorized to guarantee the payment of such full or partial scholarships to twenty-five students annually of extraordinary need and ability selected in the tenth or eleventh grades by persons or agencies designated by said board under such regulations as the board shall deem necessary. Said scholarships, to be known as the Christian A. Herter Memorial Scholarships, shall be guaranteed to the student at the time of his selection; provided, however, that he satisfactorily completes high school and is enrolled in and pursuing a program of higher education in any approved public or independent college, scientific or technical institution, or any other approved institution furnishing a program of higher education, and shall be payable from general scholarship funds at the time of his matriculation.

The board of regents shall establish such regulations governing the eligibility and awarding of scholarships as it shall deem necessary.

The board of regents may award full or partial scholarships to worthy and qualified students who have been residents of the commonwealth for a period of four years immediately prior to receiving such award and who are in need of financial assistance in order to pursue a course of study in medicine, dentistry or nursing. Recipients of scholarships shall be selected by the board from students nominated by the deans of medical and dental schools and the presidents of hospitals. The board of regents shall award such scholarships and notify all applicants on or before July first in each year. No scholarships shall be awarded for more than five years to any one student. In the event a student fails to complete his or her studies, any unused balance of the scholarship shall be returned to the General Fund. The board of regents may expend such sums as may be appropriated to carry out the provisions of this paragraph.

The board of regents shall grant four honor scholarships in each senatorial district of the commonwealth to students who are resident in such district. Such scholarships shall be granted to the four students in each senatorial district who attain the highest marks in an examination to be taken by all candidates for such awards. Said scholarships shall be known as senatorial honor scholarships and shall be for full tuition at the University of Massachusetts, or a state college, as the applicant may select, and shall continue for each of four undergraduate years and as long as the recipient thereof remains a student in good standing at said university or at such state college. Said scholarships shall be in addition to the state aid to students in state colleges authorized under section seven C of chapter sixty-nine and section five of chapter seventy-three and to the commonwealth scholarships authorized under section forty-six C of chapter seventy-four, section thirty-one of chapter seventy-five and section seventeen of chapter seventy-five A.

The board of regents shall administer a program of matching scholarship grants to participating Massachusetts independent regionally accredited colleges, universities, and schools of nursing; provided that, the board of regents shall 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 such institution's expenditure for scholarship aid to needy Massachusetts undergraduate students enrolled in such institutions as full-time matriculating students in a course of study leading to an associate or bachelor degree; and provided further, that each participating institution shall agree to expend an amount equal to at least seventy-five per cent of the grant awarded hereunder in direct financial assistance to needy Massachusetts students; and provided further, that each participating institution shall agree to comply with the information requests of the board of regents in accordance with this chapter and provided further that, students receiving such aid shall be ineligible for additional scholarship assistance provided by the commonwealth.

Section 8. There shall be an educational opportunities information center in the office of the board of regents to provide information and assistance to prospective college and university students, and to public and independent institutions of higher education of matters regarding student admissions, transfers, and enrollments.

Such public institutions shall cooperate with the center by furnishing such nonconfidential information as may assist the center in the performance of its duties. The center may request and receive similar information from private or other public educational institutions in the commonwealth.

An applicant for admission to an institution whose application is not accepted may send to the center appropriate nonconfidential information concerning his application. The center may, at its discretion and with permission of the applicant, direct the attention of the applicant to other institutions

and direct the attention of other institutions to the applicant.

The center may conduct such studies and analyses of admission, transfers and enrollments as may be deemed appropriate.

Section 9. There shall be a board of trustees for each of the institutions named in section three of this chapter, consisting of eight members to be appointed by the governor, one of whom shall be an alumnus of said institution and one member to be elected thereto by the alumni association of said institution. No member of a board of trustees shall be a member of the board of regents of higher education. No member of a board of trustees shall be principally employed by any public educational institution or school system, or by the commonwealth. Membership on a board of trustees shall terminate if a member ceases to be qualified for appointment. Each board of trustees shall elect a chairman.

Members shall be appointed to serve for five year terms, but no member shall be appointed for more than two consecutive terms. In the case of all the initial members, two shall be appointed for five years, two shall be appointed for four years, two shall be appointed for three years, one shall be elected as provided herein and one shall be appointed for one year only. Succeeding appointments shall be made for five year terms and any vacancy on a board of trustees shall be filled for the duration of the term, in the same manner as the prior appointment. The chairman shall forthwith notify the governor when any vacancy exists.

Each board of trustees shall file an advisory institutional five year master plan with the board and shall file updates to such plan on or before the first Wednesday of December in each year.

Each board of trustees shall from time to time advise the board of regents of higher education on admissions programs, labor relations and program approval for its institution. Each board of trustees shall at their pleasure and with the approval of the board of regents appoint and remove the chief executive officer of its institution.

Section 10. Each board of trustees shall be responsible for establishing those policies necessary for the administrative management of personnel, staff services and the general business of the institution under its authority, subject to the authority granted to the board of regents of higher education under the provision of this chapter. Each board shall: (a) cause to be prepared and submit to the board of regents estimates of maintenance and capital outlay budgets for the institution under their authority; (b) establish all fees at said institution; (c) appoint, transfer, dismiss, promote and award tenure to all personnel of said institution, subject to policies promulgated or agreements entered into by the board of regents; (d) manage and keep in repair all property, real and personal, owned or occupied by said institution; (e) seek, accept and administer for faculty research, programmatic and institutional purposes grants, gifts and trusts from private foundations, corporations, federal agencies, alumni and other sources, which shall be administered under the provisions of section two C of chapter twenty-nine and may be disbursed at the direction of the board of trustees pursuant to its authority; (f) implement and evaluate affirmative action policies and programs; (g) establish, implement and evaluate students services and policies; (h) recommend to the board of regents admissions standards and instructional programs for said institution, including all major and degree programs; (i) have authority to transfer funds within and among subsidiary accounts allocated to said institution by the board of regents; (j) establish and operate programs in accordance with degree authority conferred under the provisions of this chapter; (k) award degrees in fields approved by the board of regents, either independently or in conjunction with other institutions in accordance with actions of the boards of trustees of said other institutions and the board of regents.

The board of trustees may delegate to the chief executive officer of said institution any of the

powers and responsibilities herein enumerated. Student activities fees established under the provisions of this section shall be retained by the board of trustees in a revolving fund or revolving funds, and shall be expended as the board of the institution may direct in furthering student activities; provided that the foregoing shall not authorize any action in contravention of the requirements of section one of Article LXII of the Amendments to the Constitution. The said fund or funds shall be subject to annual audit by the state auditor.

Section 11. Each board of trustees shall periodically prepare and submit to the board of regents an estimate, in detail, for the ordinary maintenance of its institution, including the salaries of all officers and employees of said institution and all revenues therefrom and any other such information as the board of regents may require or as provided in section three of chapter twenty-nine. Each board of trustees shall make requests to the board of regents under the provisions of section seven of chapter twenty-nine.

Section 12. Notwithstanding any other provision of law to the contrary, each board of trustees shall have the authority to make any purchase or purchases in the amount of five hundred dollars or less, and to purchase without limitation of amount library books and periodicals, educational and scientific supplies and equipment, printing and binding, emergency repairs and replacement parts, and perishable items, without recourse to any other state board, bureau, department or commission; provided that in so doing the college or university shall follow modern methods of purchasing and shall, wherever practicable, invite competitive bids. Except as herein provided, the state purchasing agent shall on the certification of availability of funds purchase all items specified on requisitions submitted to him by any such board of trustees; provided, that the board of trustees shall have the right to review all bids received on any said board's requisitions and to make binding recommendations on the award of the contract based on the judgment of the board as to which of the bids best meet said board's specification on which the bids were received.

Section 13. Each board of trustees shall make rules and regulations for the control, movement and parking of vehicles on the campus or other land of its institution and may provide reasonable penalties for the violation of said rules and regulations. Each said board may appoint as police officers persons in the employ of such institution who in the enforcement of said rules and regulations and throughout the property of such institution shall have the powers of police officers, except as to the service of civil process.

Notwithstanding any other provision of law, all fines and penalties recovered for violations of rules and regulations made under authority of this section shall be accounted for by the clerk of court and forwarded to the respective institution at which the violation occurred. Each such institution shall deposit such fines or penalties in a special fund to be known as the Massachusetts Regents Scholarship Fund, in the name of the particular institution, which shall be established in accordance with regulations established by the board of regents; provided, however, that such fund shall be used for the purposes of granting scholarships to such worthy students as the board of trustees may determine.

The state treasurer shall transfer forthwith to each institution its respective share of such fines and penalties as may be currently held on deposit in the state treasury pursuant to the provisions of section thirty-nine A of chapter fifteen. Upon receipt, each institution shall deposit such fines and penalties in its respective institutional scholarship fund which shall be used for the purposes set forth in this section.

Notwithstanding any provision of general or special law to the contrary, the clerks of all courts within the judicial branch shall transfer forthwith to each institution its respective share of such fines and penalties as may be currently held on deposit or in escrow by said court pursuant to the

provisions of section thirty-nine A of chapter fifteen.

Section 14. The commonwealth shall indemnify a trustee of a public institution of higher education against loss by reason of the liability to pay damages to a party for any claim arising out of any official judgement, decision, or conduct of said trustee; provided, that said trustee has acted in good faith and without malice; and provided further, that the defense or settlement of such claim shall have been made by the attorney general or his designee or by an attorney employed by the board of regents. If a final judgement or decree is entered in favor of a party other than said trustee, the clerk of the court where such judgement or decree is entered, shall, within twenty-one days after the final disposition of the claim, provide said trustee with a certified copy of such judgement or entry of decree, showing the amount due from said trustee, who shall transmit the same to the comptroller who shall forthwith notify the governor; and the governor shall draw his warrant for such amount on the state treasurer, who shall pay the same from any appropriations made for the purpose by the general court.

Section 15. The board of regents or a board of trustees shall not refuse to elect and contract with a candidate for a teaching position in any public institution of higher education because of the blindness of such candidate.

Section 16. Each public institution of higher education may conduct summer sessions, provided such sessions are operated at no expense to the commonwealth. Each public institution of higher education may conduct evening classes, provided such classes are operated at no expense to the commonwealth. Vietnam veterans whose service was credited to the commonwealth may attend such summer sessions and evening classes tuition free, if academically qualified. The cost of instruction for each Vietnam veteran who attends such sessions and classes shall be borne by the commonwealth.

Section 17. Notwithstanding any contrary provisions of law, the board of bank incorporation or the commissioner of banks is hereby authorized to allow a bank, as defined in section one of chapter one hundred and sixty-seven, to establish and maintain a branch on the grounds of any public institution of higher education in the commonwealth, provided that the board of regents shall determine the method and terms of the lease if applicable or rental thereof.

SECTION 113. Section 7 of chapter 69 of the General Laws is hereby amended by striking out, in the first sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 114. Said chapter 69 is hereby further amended by striking out section 7B and inserting in place thereof the following section:-

Section 7B. The commonwealth, acting through the board of regents, 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 regents, be entitled to reimbursement by the commonwealth, in any 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 therefore 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 115. The first paragraph of section 7D of said chapter 69 is hereby further amended by striking out, in the second sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 116. The second paragraph of section 7E of said chapter 69 is hereby further amended by striking out, in the first sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 117. The second paragraph of section 7F of said chapter 69 is hereby further amended by striking out, in the first sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 118. Section 30 of said chapter 69 is hereby further amended by striking out, in the first sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 119. Section 30A of said chapter 69 is hereby further amended by striking out, in the first sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 120. Section 31 of said chapter 69 is hereby further amended by striking out, in the first sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 121. Section 31A of said chapter 69 is hereby further amended by striking out, in the second sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 122. Section 31B of said chapter 69 is hereby further amended by striking out the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 123. The first paragraph of section 137 of chapter 33 of the General Laws is hereby amended by striking out, in the second sentence, the words "board of higher education" and inserting in place thereof the following words:- board of regents.

SECTION 124. The definition of "employer" or "public employer" in section 1 of chapter 150E of the General Laws, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:-

In the case of employees of the system of public institutions of higher education, the employer shall mean the board of regents of higher education or any individual who is designated to represent it and act in its interest in dealing with employees.

SECTION 125. Paragraph (b) of section 7 of said chapter 150E is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

The employer, other than the board of regents of higher education, the chief administrative justice of the trial court 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.

SECTION 126. Said section 7 of chapter 150E is hereby further amended by striking out paragraph (c), as appearing in section 3 of chapter 937 of the acts of 1977, and inserting in place thereof the following paragraph:-

(c) The provisions of this paragraph shall apply to the board of regents of higher education, the chief administrative justice of the trial court and the state lottery commission.

Every such employer shall submit to the governor, within thirty days after the date on which a collective bargaining 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 such employer 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 and 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.

SECTION 127. The board of regents shall file on or before the third Wednesday of April, nineteen hundred and eighty-one with the clerk of the house of representatives and the clerk of the senate a report relative to its recommendations concerning continuing education programs in the system of public institutions of higher education.

SECTION 128. All existing contracts, leases and obligations of any board, office, commission or committee which has been abolished under the provisions of sections one hundred and four, one hundred and six, one hundred and seven, one hundred and nine, one hundred and eleven, one hundred and twenty-four, one hundred and twenty-five or one hundred and twenty-six of this act and which are in force immediately prior to the effective date of section one hundred and eleven shall thereafter be performed by the board of trustees of the institution so affected by any such contract, lease or obligation. In the case of a contract, lease or obligation affecting more than one institution, the board of regents shall be responsible for such performance and may delegate any such responsibility to a board of trustees if deemed appropriate. This section shall not affect any renewal provision or option to renew contained on said effective date, all of which may thereafter be exercised by such other board as hereinbefore provided.

All questions regarding the identification of such contracts, leases and obligations and the board to which performance thereof is transferred shall be determined by the board of regents of higher education.

SECTION 129. The terms of any collective bargaining agreement in existence on the effective date of this act between any employee organization and the boards of trustees of community colleges, state colleges or universities shall continue in full force and effect until the expiration of said agreements.

SECTION 130. Amounts appropriated for the office of the secretary of educational affairs, the board of higher education, the board of regional community colleges and the board of trustees of state colleges may be used by the board of regents of higher education and may be disbursed by said board to the boards of trustees established under section one hundred and twelve of this act.

All rulings, regulations and other determinations made by the secretary of the office of educational affairs, the board of higher education, the board of regional community colleges or the board of trustees of state colleges and in effect prior to the effective date of section one hundred and eleven of this act shall continue in effect until they are subsequently altered, amended, modified or revoked by the board of regents of higher education or a board of trustees, as the case may be.

SECTION 131. This act shall not be construed to effect the building authorities of the division of

state colleges, the University of Massachusetts, the University of Lowell, and Southeastern Massachusetts University or the obligations, contracts and agreements thereof with respective institutions; provided, however, that the board of regents shall submit to the clerk of the house of representatives and the clerk of the senate a report on or before the first Wednesday of April nineteen hundred and eighty-one recommending amendments to this act transferring the responsibilities, functions, obligations and contracts of said building authorities to said board of regents.

SECTION 132. Nothing in this act shall be construed to impair the tenure, seniority, retirement or other rights of any employee of the board of regents of higher education on the effective date of this act, except for administrative and staff employees who, prior to the effective date of this act, were employed at the central offices of the division of state colleges, the board of regional community colleges, the board of higher education, the office of president of the University of Massachusetts, the board of trustees of Southeastern Massachusetts University or the board of trustees of the University of Lowell.

SECTION 133. Section one hundred and five of this act and section two of chapter fifteen A of the General Laws, as appearing in section one hundred and twelve of this act shall take effect as of August first, nineteen hundred and eighty.

Sections four and nine of chapter fifteen A of the General Laws, as appearing in section one hundred and twelve of this act, shall take effect as of December first, nineteen hundred and eighty.

Sections one hundred and three, one hundred and nine, one hundred and eleven, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and sixteen, one hundred and seventeen, one hundred and eighteen, one hundred and nineteen, one hundred and twenty, one hundred and twenty-one, one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, one hundred and twenty-six, one hundred and twenty-eight, one hundred and twenty-nine, one hundred and thirty of this act and sections one, three, five, six, seven, eight, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, and seventeen of chapter fifteen A of the General Laws, as appearing in section one hundred and twelve of this act, shall take effect as of March first, nineteen hundred and eighty-one.

SECTION 134. Any section of this act, not otherwise having an effective date, shall take effect on July first, nineteen hundred and eighty.

This Bill was returned June 6, 1980 by the Governor to the House of Representatives, the Branch in which said Bill originated, with his objections in writing to the following sections:
Sections 10, 38, 70, 94 & 95.

The vote being taken by the House of Representatives on July 1, 1980 on the passage of section 10, the objection of the Governor thereto was sustained. The remainder of the Bill was approved by the Governor June 25, 1980.

Chap. 330. AN ACT PROVIDING FOR THE CLOSING OF THE DISTRICT COURTS ON SATURDAYS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith a five day week for all trial courts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 220 of the General Laws is hereby amended by striking out section 6, as amended by section 6 of chapter 449 of the acts of 1947, and inserting in place thereof the following section:-

Section 6. The divisions of the departments of the trial court shall always be open and the business thereof, or of a justice thereof, may be transacted at any time, except that such business shall not be transacted on a Saturday or Sunday or on a legal holiday unless it relates to an application which, in the opinion of the justice to whom it is made, is of pressing necessity, or for the purpose of instructing or discharging a jury, receiving a verdict or adjourning; provided that, if the convenience of the public so requires, the divisions shall be open for the transaction of business on such Saturdays, not legal holidays and during such hours thereof as the administrative justice of the department may determine. This section shall not prevent the exercise of the jurisdiction of any magistrate in criminal cases to preserve the peace or arrest offenders. The provisions of section nine of chapter four shall apply in the case of the closing of a court on any Saturday to the same extent as if such Saturday were a legal holiday.

Approved June 26, 1980.

Chap. 331. AN ACT DIRECTING THE COUNTY OF DUKES COUNTY TO GRANT A PENSION TO PRESTON R. HANNA, A FORMER EMPLOYEE OF THE SHERIFF'S DEPARTMENT IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the county of Dukes County is hereby authorized and directed to pay to Preston R. Hanna, a former employee of the sheriff's department in said county, a pension of two thousand four hundred dollars per year.

SECTION 2. The county treasurer of said county shall, for the current fiscal year, pay the pension authorized by section one, out of any available funds.

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

Approved June 27, 1980.

Chap. 332. AN ACT AUTHORIZING THE TOWN OF ACTON TO SELL AND CONVEY A CERTAIN PART OF A PARCEL OF LAND ACQUIRED FOR CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Acton is hereby authorized to sell and convey all or a portion of a parcel of land containing three and thirty-six one hundredths acres, more or less, with the buildings located thereon, shown as Lot A on a plan entitled the Acton Engineering Department, dated March 20, 1980. Said land described herein is part of the land on Nagog Hill road in said town, previously acquired by said town for conservation purposes by a deed recorded in southern district registry of deeds in Middlesex county, Book 13,871, page 233. Said parcel of land shall be sold in a manner and for a price and upon conditions to be determined by the board of selectmen of said town with the advice of the conservation commission. The proceeds of such sale, less the expenses thereof, shall be applied to for the payment of principle and interest on bonds of said town used to acquire the land of which the said parcel is a part.

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

Approved Jne 27, 1980.

Chap. 333. AN ACT FURTHER REGULATING THE METHOD OF ASSESSMENT OF A DEFICIT OF THE MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION.

Be it enacted, etc., as follows:

Section 6 of chapter 362 of the acts of 1975 is hereby amended by striking out the seventh paragraph and inserting in place thereof the following paragraph:-

Any deficit sustained by the association in any one year shall be recouped, pursuant to the plan of operation and the rating plan then in effect by a rate increase applicable prospectively; provided, however, that in no event shall a deficit incurred by the association be charged, directly or indirectly, to any person other than the insured under a policy of medical malpractice insurance; and provided, further, that for purposes of this sentence, when deficits sustained on account of physician or

hospital malpractice coverage are being recouped, the term "policyholders" shall mean all those licensed physicians or hospitals insured under a policy of medical malpractice insurance, whether obtained through the joint underwriting association or not.

Approved June 27, 1980.

Chap. 334. AN ACT PROVIDING THAT THE POSITION OF CHIEF OF POLICE IN THE CITY KNOWN AS THE TOWN OF AGAWAM SHALL BE SUBJECT TO THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and six of the acts of nineteen hundred and seventy-seven is hereby repealed.

SECTION 2. The position of chief of police in the city known as the town of Agawam shall be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 3. The state secretary shall place upon the official ballot to be used in the state biennial election to be held in current year in the city known as the town of Agawam the following question: "Shall an act passed by the General Court entitled, 'An Act providing that the position of chief of police in the city known as the town of Agawam be subject to civil service laws and rules', be accepted?"

If a majority of the votes cast in answer to said question is in the affirmative, sections one and two of this act shall thereupon take full effect, but not otherwise.

Approved June 27, 1980.

Chap. 335. AN ACT REGULATING CERTAIN MORTGAGE LOANS MADE OR ACQUIRED BY BANKS AND CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 167 of the General Laws is hereby amended by adding the following two sections:-

Section 70. Any bank or credit union may make or acquire mortgage loans of the several classes or types specified in chapter one hundred and sixty-eight, one hundred and seventy, one hundred and seventy-one or one hundred and seventy-two evidenced by a note which provides for variation in the rate of interest over the term of the note; provided, however, that such a loan secured by a first lien on a dwelling house of four or fewer separate households occupied or to be occupied in whole or in part by the mortgagor shall be subject to but not limited to

the following conditions and restrictions imposed by the commission:

(1) the method by which the rate of interest may be adjusted;

(2) the frequency with which the rate of interest may be adjusted, provided that successive rate adjustments shall be no less than six months apart;

(3) the maximum increase in the rate of interest allowed for any such adjustment;

(4) provisions for decreases in the rate of interest as may be warranted by market conditions;

(5) requirements for advance notification and explanation of adjustments in the rate of interest, provided that such notification and explanation shall occur no less than thirty days prior to such adjustments; and

(6) methods of disclosure to the mortgagor of the terms and conditions of the loan as required under the provisions of chapter one hundred and forty C.

Section 71. Any bank or credit union may make or acquire mortgage loans of the several classes or types specified in chapter one hundred and sixty-eight, one hundred and seventy, one hundred and seventy-one, or one hundred and seventy-two evidenced by a note which provides for installment payments of principal or interest, or both, that will not amortize the outstanding principal amount in full by the maturity of such note; provided, however, that the term of mortgage securing the note shall be for a period not less than the original or anticipated amortization period; and provided, further, that such loans secured by a first lien on a dwelling house of four or fewer separate households occupied or to be occupied in whole or in part by the mortgagor shall be subject to the conditions and restrictions imposed under the provisions of section sixty of chapter one hundred and eighty-three.

SECTION 2. Chapter 183 of the General Laws is hereby amended by striking out section 60, added by chapter 115 of the acts of 1973, and inserting in place thereof the following section:-

Section 60. Whenever any note secured by a first lien on a dwelling house of four or fewer separate households occupied or to be occupied in whole or in part by the mortgagor provides for installment payments of principal or interest or both that will not amortize the outstanding principal amount in full by the maturity of such note and the term of the mortgage securing the note is for a period not less than the original or anticipated amortization period, such note and its disposition at maturity shall be subject to conditions and restrictions imposed by the commissioner. Such conditions and restrictions shall include but not be limited to the following:-

(1) the minimum term of the note;
(2) the method by which the rate of interest on a renewed or extended note may be assigned;
(3) the maximum increase in the rate of interest at renewal or extension of the note;
(4) provisions for decreases in the rate of interest at renewal or extension of the note as may be warranted by market conditions;
(5) provisions for automatic renewal or extension of the note at the option of the mortgagor;
(6) requirements for advance notification and explanation of adjustment of the rate of interest in connection with renewing or extending the note, provided that such notification and explanation shall occur no less than thirty days prior to the rate adjustment;
(7) methods of disclosure to the mortgagor of the terms and conditions of the loan as may be required under the provisions of chapter one hundred and forty C.

SECTION 3. The provisions of section two of this act shall apply only to mortgage liens secured on or after the effective date of this act and any such lien in existence on the effective date of this act shall be subject to the provisions of section sixty of chapter one hundred and eighty-three of the General Laws in effect immediately prior to the effective date of this act.

Approved June 27, 1980.

Chap. 336. AN ACT AUTHORIZING THE TRANSFER OF A CERTAIN PARCEL OF LAND IN THE TOWN OF ARLINGTON FROM THE CONSERVATION COMMISSION THEREOF TO THE CARE AND CONTROL OF THE TOWN MANAGER AND THE BOARD OF SELECTMEN.

Be it enacted, etc., as follows:

The town of Arlington is hereby authorized to transfer from the conservation commission of said town to the town manager and board of selectmen of said town the care and control of a certain parcel of land to be used in conjunction with a community safety elderly housing joint project in said town. Said parcel is bounded and described as follows:

Beginning at a point on the southwesterly sideline of Mystic Street said point being 219.04 feet southeasterly of the southerly sideline of Summer Street, thence going S73°16'55" W along the property line of land of the Conservation Commission a distance of 195.00 feet to an angle point, thence going S16°43'05" E along said property line a distance of 22.00 feet to a point, thence going N80°09'11" W along a line through land of the Conservation

Commission a distance of 83.27 feet to a point on the northerly lot line of land of the Conservation Commission thence going N73°28'00" E along the northerly lot line of land of the Conservation Commission, a distance of 74.48 feet to an angle point, thence going N73°16'55" E along said property line a distance of 195.00 feet to a point on the southwesterly sideline of Mystic Street, thence going S16°43'05" E along said sideline a distance of 15.00 feet to the point of beginning, containing 4,303 square feet and a 3.0 foot sewer easement running adjacent and parallel to the sideline of Mystic Street.

Approved June 27, 1980.

Chap. 337. AN ACT AUTHORIZING THE TREASURER OF NORFOLK COUNTY TO EXPEND CERTAIN SUMS.

Be it enacted, etc., as follows:

SECTION 1. The county treasurer of Norfolk county, with the approval of the county commissioners, is hereby authorized to pay from any available funds during the current fiscal year the following sums of money: for certain goods, materials and services supplied to the registry of deeds in said county, forty-seven thousand seven hundred and sixty-four dollars; and the agricultural school and county cooperative extension service, twenty-eight thousand dollars, as provided on a list on file with the director of accounts.

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

Approved June 30, 1980.

Chap. 338. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY FOR THE MAINTENANCE OF THE NORFOLK COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 783 of the acts of 1979 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The county commissioners of Norfolk county are hereby authorized to expend for the fiscal year nineteen hundred and eighty the sums set forth in this act for the care, maintenance and repair of the Norfolk county hospital and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

NORFOLK COUNTY.

Item		
1.	For personal services	$3,474,000 00
2.	For contractual services	523,900 00
3.	For supplies and materials	513,000 00
4.	For current charges and obligations	352,400 00
5.	For equipment	20,916 75
6.	For structures and improvements	38,000 00
8.	For debt and interest	38,000 00
10.	For unpaid bills of previous years	412,500 00
11.	For reserve fund	30,000 00
12.	For group insurance	286,000 00
	For total expenditures	$5,688,716 75

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

Approved June 30, 1980.

Chap. 339. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY 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 provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine, for the fiscal year ending June thirtieth, nineteen hundred and eighty or for such period as may be specified, the sums so appropriated to be in addition to any amounts available for the purpose.

SECTION 2.

Item		
4403-2000	Item 4403-2000 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding the words:- ; and provided, further, that decisions rendered in the current fiscal year on appeals determined to be owed from prior fiscal years, not to exceed twenty thousand dollars, may be paid from this item	$7,000,000

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

Approved June 30, 1980.

Chap. 340. AN ACT DIRECTING THE BOARD OF EDUCATION TO APPROVE A CERTAIN SCHOOL RENOVATION AND CONSTRUCTION IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the city of Lawrence shall be eligible for sixty-five per cent of the approved cost of school construction and renovation, such approved cost to include one hundred per cent of the interest paid or payable by said city, and any other benefits authorized by 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 city of Lawrence in nineteen hundred and seventy-eight for such construction. Said board is hereby further directed to certify to the comptroller of the amounts due on said construction and renovation, including interest, and the state treasurer shall pay to said city 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.

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

Approved June 30, 1980.

Chap. 341. AN ACT RELEASING AND TRANSFERRING THE RIGHTS OF THE COMMONWEALTH IN CERTAIN PREMISES PRESENTLY USED AND OCCUPIED BY THE MASSACHUSETTS REHABILITATION HOSPITAL IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The general court declares and finds that the Massachusetts Rehabilitation Hospital is a hospital located at 125 Nashua street in the city of Boston in Suffolk county, which was organized on November second, nineteen hundred and seventy-three pursuant to the provisions of chapter one hundred and fifty-six B of the General Laws; that said hospital was organized for and is presently serving the most valuable and proper public purpose providing for the health of the people of the commonwealth; that the real estate on which said hospital is located is occupied pursuant to a certain license granted by the department of public works and made irrevocable by chapter six

hundred and ninety-one of the acts of nineteen hundred and sixty-two, which is hereinafter further described in section two; that the changed nature and location and relocation of seaborne and maritime commerce in the port of Boston has caused said real estate to become unfit and unnecessary for purposes or uses related to such commerce, thereby seriously detracting from the interest or need of the commonwealth in said real estate, whether said interest could be related to a theory of public trust, to an implied or express condition, to the retention of a fee title, or otherwise; and that, therefore, the general court finds and hereby declares that the use and development of said real estate by the Massachusetts Rehabilitation Hospital is serving the public health and the public good of the people of the commonwealth without detriment to the navigation or use of the remaining waters of the port of Boston, and that, to better serve the best interests of said people, the commonwealth shall hereby release any and all of its rights, title and interest in said real estate to the Nashua Street Company Trust as title holding entity of said hospital in the manner set forth in section two.

SECTION 2. In consideration of the sum of the one thousand dollars to be paid into the treasury of the commonwealth as hereinafter set forth, all right, title and interest of the commonwealth, whether by way of express or implied condition, retained fee title, public trust, or otherwise in the premises of the Massachusetts Rehabilitation Hospital Inc., as hereinafter described, and being a certain parcel of land with building thereon, situated on Nashua street in the city of Boston are hereby released to Josiah A. Spaulding as Trustee for the benefit of said hospital of the Nashua Street Company Trust under Declaration of Trust dated April 5, 1968, recorded with the Suffolk registry of deeds, Book 8200, Page 162, which premises were conveyed to said trustee by deed of Massachusetts General Hospital dated May 7, 1968, and recorded with the Suffolk registry of deeds, Book 8200, Page 168. Said premises are shown on a plan recorded with said deed entitled "Plan of Land in Boston, Mass. to be conveyed to John C. Wrightson," dated September 14, 1966, as revised March 6, 1967, by Schofield Brothers, Registered Land Surveyors, and are more particularly bounded and described as follows:

SOUTHERLY by Nashua Street, 50.14 feet;

WESTERLY by land now or formerly of Boston and Maine Corporation, 58 feet;

SOUTHWESTERLY more SOUTHERLY by the same, 71.68 feet;

WESTERLY by land of the Commonwealth of Massachusetts 5 feet;

NORTHWESTERLY by the same, by a curved line, 322.75 feet;

WESTERLY by the same, 74.92 feet;

NORTHERLY by land now or formerly of Boston and Maine Corporation 233.91 feet;
NORTHEASTERLY by the same, 253.34 feet;
SOUTHEASTERLY by other land now or formerly of Boston and Maine Corporation 232.98 feet;
SOUTHWESTERLY by the same, 220.09 feet;
SOUTHEASTERLY by the same, 120.79 feet; and
EASTERLY by the same, 86.19 feet.
Containing approximately 105,230 square feet of land.

Said premises are subject to and have the benefit of License No. 1177A granted by the department of public works to the Boston and Maine Railroad which was made irrevocable by chapter six hundred and ninety-one of the acts of nineteen hundred and sixty-two subject to compliance with certain conditions therein set forth.

Unless such payment shall be made within three months from the effective date of this act, the release herein made shall be and become void; otherwise, this act shall be and remain in full force and effect and shall take effect notwithstanding any contrary provision of general or special law with respect to such rights to revoke. The state treasurer shall upon payment of said consideration forthwith give to said trustee a receipt for the same in a form suitable for recording. The register of deeds for Suffolk county shall accept for recording any receipt so given, upon payment of a recording fee of ten dollars.

Approved June 30, 1980.

Chap. 342. AN ACT REMOVING THE TOWN OF TISBURY 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 Tisbury. Said town shall not be represented in the membership of said commission.

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved June 30, 1980.

Chap. 343. AN ACT FURTHER REGULATING A MATERNITY LEAVE OF ABSENCE FOR CERTAIN STATE EMPLOYEES.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 11A, inserted by section 2 of

chapter 790 of the acts of 1972, and inserting in place thereof the following subsection:-

11A. For an employer, by himself or his agent, to refuse to restore certain female employees to employment following their absence by reason of a maternity leave taken in accordance with section one hundred and five D of chapter one hundred and forty-nine or to otherwise fail to comply with the provisions of said section, or for the commonwealth and any of its boards, departments and commissions to deny vacation credit to any female employee for the fiscal year during which she is absent due to a maternity leave taken in accordance with said section or to impose any other penalty as a result of a maternity leave of absence.

Approved June 30, 1980.

Chap. 344. AN ACT AUTHORIZING THE TOWN OF SCITUATE TO BORROW MONEY FOR A TOWN MARINA.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the town of Scituate, for purposes of construction and installation of piers, docks, floats, ramps, and related facilities and appurtenances for expanding and improving its town Marina, may borrow from time to time such sums of money as may be necessary, not to exceed, in the aggregate, four hundred thirty thousand dollars, and may issue bonds or notes of the town therefor. Such bonds or notes shall be issued in accordance with the Coastal Energy Impact Program administered by the National Oceanic and Atmospheric Administration of the United States Department of Commerce and shall bear on their face the words, Town of Scituate Town Marina Loan, Act of 1980. Each authorized issue shall constitute a separate loan and each such loan shall be payable in not more than twenty years from its date. Indebtedness incurred under this act shall be in excess of the limit of indebtedness prescribed by section ten of chapter forty-four of the General Laws, but except as provided herein, shall be subject to applicable provisions of said chapter forty-four.

SECTION 2. Receipts from the operation of the project financed hereunder shall be reserved for appropriation and may be applied to the payment of charges and expenses incident to the maintenance and operation of the town Marina, or to the extension, improvement or replacement thereof, to the payment of interest upon bonds or notes issued hereunder, or to the payment or redemption of such bonds or notes, or to the reduction of the town's tax rate.

SECTION 3. The action taken by the town of Scituate under Motion 5 of Article 9 of the annual town meeting in the year nineteen hundred and eighty is hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of posting and publication of the warrant for said meeting.

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

Approved June 26, 1980.

Chap. 345. AN ACT AUTHORIZING THE MERGER OF SUBURBAN CREDIT UNION INTO UNION WARREN SAVINGS BANK.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Suburban Credit Union to merge into Union Warren Savings Bank, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Suburban Credit Union, a credit union organized and existing under chapter one hundred and seventy-one of the General Laws, with its principal office in the town of Framingham, and a branch office in the town of Natick, is hereby authorized to merge into Union Warren Savings Bank, a mutual savings bank organized and existing under chapter one hundred and sixty-eight of the General Laws, with its principal office in the city of Boston, hereinafter sometimes collectively referred to as the "banks", providing the commissioner of banks, hereinafter called the "commissioner", is satisfied:

(a) that public convenience and advantage will be promoted by the proposed merger;

(b) that the merger can be effected under his direction and upon terms approved by said commissioner; and

(c) that the merger has been approved by a vote of at least two-thirds of the Trustees of Union Warren Savings Bank at a meeting duly called for such purposes, and two-thirds of the board of directors of Suburban Credit Union at a meeting duly called for such purpose.

SECTION 2. A certificate endorsed by the president and clerk, or two other duly authorized officers of both banks, stating that each bank, respectively, has complied with the requirements of this act shall be submitted to the commissioner who, if he approves such merger, shall endorse said approval upon such certificate and thereupon such merger shall become effective at the close of business on such date.

SECTION 3. At any time, and from time to time after the merger has become effective, copies of the certificate provided for in section two may be certified and issued by the commissioner and may be filed in the several registries of deeds and land court registry districts of the commonwealth and in any filing offices established under the Massachusetts Uniform Commercial Code which filings shall be conclusive evidence for all purposes of the succession by Union Warren Savings Bank to all rights and interests of Suburban Credit Union which may or were intended to be evidenced secured or perfected by filings or recordings in any such places.

SECTION 4. Upon the effective date of the merger:

(1) The separate existence of Suburban Credit Union shall cease and be merged into that of Union Warren Savings Bank, which shall continue as the survivor. All and singular the rights, privileges and franchises of Suburban Credit Union and its right, title and interest to all property, of whatever kind, whether real, personal or mixed, and things in action, and every right, privilege or asset of conceivable value or benefit then existing, which would enure to it absent the merger, shall be deemed fully and finally and without any right of reversion, transferred to or vested in Union Warren Savings Bank without further act or deed, and all offices, depots or branches of Suburban Credit Union theretofore established and being operated by Suburban Credit Union immediately prior to the merger shall, notwithstanding any other provision or requirement of law, become, be and continue in the same locations as branches of Union Warren Savings Bank.

(2) Suburban Credit Union's rights, obligations and relations to any shareholder or depositor shall be converted to the rights, obligations and relations of a depositor of Union Warren Savings Bank in the nearest comparable type deposit account of a mutual savings bank, as provided in the plan of merger and approved by the commissioner whose approval shall not be withheld because of provisions of law applicable to the investment of funds of savings banks or to the limitations upon deposits, which provisions are hereby waived for the purpose of such merger. All other rights, obligations and relations of the Suburban Credit Union as of the effective date of the consolidation shall remain unimpaired and Union Warren Savings Bank shall, by such merger, succceed to all such relations, obligations and liabilities as though it had itself assumed the relation or incurred the obligation or liability; and its liabilities and obligations to creditors existing for any cause whatsoever shall not be impaired by such merger, but such obligations and liabilities shall continue as fully and to the same extent as the same existed before such merger.

(3) A pending action or other judicial proceeding to which either of the banks is a party shall not be deemed to have abated or to have been discontinued by reason of such merger, but may be prosecuted to final judgment, order or decree in the same manner as if such merger had not been made; or Union Warren Savings Bank may be substituted as a party to any such action or proceeding to which Suburban Credit Union was a party, and any judgment, order or decree may be rendered for or against Union Warren Savings Bank that might have been rendered for or against Suburban Credit Union had such merger not occurred.

(4) After the effective date of the merger, a foreclosure of a mortgage begun by Suburban Credit Union may be completed by Union Warren Savings Bank and publication begun by Suburban Credit Union may be continued in the name of Union Warren Savings Bank. Any certificate of possession, affidavit of sale or foreclosure deed relative to such foreclosure shall be executed by the proper officers of Union Warren Savings Bank, but any such instrument shall recite that it is the successor of Suburban Credit Union which commenced the foreclosure.

SECTION 4A. Notwithstanding the provisions of subsection 1 of section 4 of this act, it shall be a condition to any merger pursuant to this act, that the branch office of Suburban Credit Union located in Natick, be closed in or within twenty-four months from the effective date of the merger.

SECTION 5. Any provision of the merger agreement which may be inconsistent or in conflict with any provision of this act shall be ineffective and such provision of this act will prevail without prejudice, however, to or derogating from any other provision of said merger agreement not inconsistent or in conflict with this act.

Approved June 30, 1980.

Chap. 346. AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY FOR THE MAINTENANCE OF THE MIDDLESEX COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to expend for the fiscal year nineteen hundred and eighty the sums set forth in this act for the care, maintenance and repair of the county hospital supplementing chapter seven hundred and seventy-eight of the acts of nineteen hundred and seventy-nine.

MIDDLESEX COUNTY.

Item		
1.	For personal services	$5,000 00
2.	For contractual services	88,000 00
3.	For supplies and materials	50,000 00
4.	For current charges and obligations	66,000 00
5.	For equipment	79,405 00
11A.	For reserve for salary increases	300,000 00
	For total expenditures	$588,405 00

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

Approved June 30, 1980.

Chap. 347. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO GRANT AND CONVEY AN EASEMENT OVER A CERTAIN PARCEL OF LAND IN SAID TOWN TO DIGITAL EQUIPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The town of Franklin, acting through the town administrator of said town with the approval of the town council of said town, is hereby authorized to grant and convey to Digital Equipment Corporation as an easement appurtenant to certain land of said corporation, a perpetual easement for the purpose of access, ingress and egress, over, under, and across a certain parcel of land of the town of Franklin on Grove street in said town acquired for water purposes, for such consideration and upon such terms and conditions as determined by said town administrator.

Said parcel of land is shown as a way designated "Proposed Access Easement - 50.00' Wide" on a definitive plan entitled "Plan of Land Franklin, Mass. Showing Proposed Access Easement from Grove Street to Land of Laurence E. & Helen M. Sullivan Scale: 1" = 100' April 22, 1980 Boston Survey Consultants, Inc. 263 Summer St. Boston, Mass.", and is bounded and described according to said plan as follows:

Beginning at a point marked by a concrete bound on the northeast corner of the easement; thence, running

Southeasterly bounding property n/f Laurence E. and Helen M. Sullivan S07-12-15E for a distance of 53.16 feet to a point; thence, running

N 77-20-29W for a distance of 62.13 feet through Town of Franklin land to a point of curvature; thence, running and curving to the right

Northwesterly along the arc of a circle having a radius of 240.00 feet, for an arc distance of 154.32 feet through Town of Franklin land to a point of tangency; thence, running

N 40-29-57W for a distance of 108.13 feet through Town of Franklin land to a point of curvature; thence, running and curving to the left

Northwesterly along the circle of an arc having a radius of 165.00 feet, for an arc distance of 192.03 feet through Town of Franklin land to a point of tangency; thence, running

S 72-49-10W for a distance of 75.23 feet through Town of Franklin land, to a point of curvature; thence, running and curving to the left southwesterly along the circle of an arc having a radius of 30.00 feet, for an arc distance of 45.25 feet through Town of Franklin land to a point located on the easterly right-of-way line of Grove Street; thence, running and curving to the left

Northwesterly on said right-of-way along the arc of a circle having a radius of 850.00 feet, for an arc distance of 86.99 feet to a point; thence, running

N 19-27-40W for a distance of 20.00 feet on said right-of-way to a point of curvature; thence, running and curving to the left

Southeasterly along the arc of a circle having a radius of 30.00 feet, for an arc distance of 45.93 feet through Town of Franklin land to a point of tangency; thence, running

N 72-49-10E a distance of 75.00 feet through Town of Franklin land to a point of curvature, thence, running and curving to the right

Southeasterly along the arc of a circle having a radius of 215.00 feet, for an arc distance of 250.22 feet through Town of Franklin land to a point of tangency; thence, running

S 40-29-57E for a distance of 108.13 feet through Town of Franklin land to a point of curvature; thence, running and curving to the left

Southeasterly along the arc of a circle having a radius of 190.00 feet for an arc distance of 122.17 feet through Town of Franklin land to a point of tangency; thence, running

S 77-20-29E for a distance of 44.07 feet through Town of Franklin land to the point and place of beginning.

Said parcel contains 0.724 ± Acres, according to said plan.

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

Approved June 30, 1980.

Chap. 348. AN ACT AUTHORIZING THE TOWN OF MAYNARD TO EXTEND THE TIME OF BORROWING A CERTAIN SUM OF MONEY IN ANTICIPATION OF FEDERAL GRANTS FOR THE CONSTRUCTION OF A SEWERAGE TREATMENT PLANT.

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 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 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 in 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 fifty-five thousand seven hundred and twenty-nine dollars and payable on July twenty-first, nineteen hundred and seventy-seven, which was most recently renewed on July twenty-first, nineteen hundred and seventy-seven and payable July twenty-first, nineteen hundred and seventy-eight which was most recently renewed on July twenty-first, nineteen hundred and seventy-eight and payable on July twentieth, nineteen hundred and seventy-nine, which was most recently renewed on July twentieth, nineteen hundred and seventy-nine and payable July seventeenth, nineteen hundred and eighty. 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 the 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 30, 1980.

Chap. 349. AN ACT INCREASING CERTAIN ASSESSMENTS UPON PUBLIC UTILITIES BY THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

Section 17 of chapter 25 of the General Laws, as amended by section 3 of chapter 1224 of the acts of 1973, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Said assessments shall be

made at a rate not exceeding one-fourth of one-tenth of one per cent as shall be determined and certified annually by the commission as sufficient to produce five hundred thousand dollars in revenue to the commonwealth; provided, however, that if the department shall fail to expend in any fiscal year the total amount of five hundred thousand dollars for the purposes set forth in this section, any amount unexpended in such fiscal year shall be credited against the assessment to be made in the following year and the assessment in the following year shall be reduced by such unexpended amount.

Approved June 30, 1980.
EMERGENCY LETTER July 2, 1980 @ 4:30 P.M.

Chap. 350. AN ACT AUTHORIZING THE TREASURER OF ESSEX COUNTY TO EXPEND FUNDS FOR THE PAYMENT OF CERTAIN BILLS.

Be it enacted, etc., as follows:

The county treasurer of Essex county, with the approval of the county commissioners of said county, is hereby authorized to pay from any available funds for gasoline, food, fuel oil, medicine and drugs, utilities and medical services at the Salem jail and house of correction, the sum of one hundred and fifteen thousand dollars; for food, fuel oil, medicine and drugs, gasoline, telephone, gas and electric, medical services and payments to temporary employees and overtime at the Lawrence jail and house of correction, the sum of seventy-two thousand seven hundred dollars; for telephone, utilities, food, fuel and water and sewage at the correctional alternatives center at Lawrence, the sum of thirty-one thousand three hundred dollars; and for overtime at the courthouse and registry building, the sum of five thousand dollars.

Approved June 30, 1980.

Chap. 351. AN ACT AUTHORIZING THE TOWN OF MATTAPOISETT TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE 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 licensing authority of the town of Mattapoisett is hereby authorized to issue to Village Package Store of Mattapoisett, Inc., a license under the provisions of section fifteen of said chapter one hun-

dred and thirty-eight for the sale of all alcoholic beverages not to be drunk on the premises.

Approved June 30, 1980.

Chap. 352. AN ACT ESTABLISHING A REGIONAL REFUSE DISPOSAL DISTRICT FOR THE CITY OF NEW BEDFORD AND THE TOWNS OF ACUSHNET, DARTMOUTH AND FAIRHAVEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the failure of any of the member municipalities to comply with the provisions of section forty-four E of chapter forty of the General Laws, the city of New Bedford and the towns of Acushnet, Dartmouth and Fairhaven are hereby established and constituted a regional refuse disposal district and shall be authorized to operate under the provisions of sections forty-four F to forty-four K, inclusive, of chapter forty of the General Laws and the regional refuse disposal district agreement dated December third, nineteen hundred and seventy-nine, and said district shall be known as the greater New Bedford regional refuse management district.

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

Approved July 1, 1980.

Chap. 353. AN ACT TO PROTECT ANTIQUE FIREARM COLLECTORS AND EXHIBITORS FROM TECHNICAL VIOLATIONS OF THE LAW.

Be it enacted, etc., as follows:

Section 128A of chapter 140 of the General Laws, as most recently amended by section 6 of chapter 799 of the acts of 1969, is hereby further amended by adding the following sentence:- The provisions of section one hundred and twenty-eight shall not apply to any resident of the commonwealth who is licensed or exempt under the provisions of this section and who conducts a display or exhibits more than four firearms provided, however, that such resident complies with all provisions of this chapter.

Approved July 2, 1980.

Chap. 354. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY 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 provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine, for the fiscal year ending June thirtieth, nineteen hundred and eighty or for such period as may be specified, the sums so appropriated to be in addition to any amounts available for the purpose.

SECTION 2.

Item		
	LEGISLATURE.	
0111-8000	For expenses of senators, including travel prior appropriation continued	$40,000
0121-9000	For renovations and improvements to rooms 443446 in the state house, prior appropriation continued	111,819
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	30,000
	JUDICIARY.	
	Trial Court.	
0330-2201	For maintenance of Suffolk County court house-prior year expenses	649,355
	Local Aid Fund 100.0%	
0330-2300	For payments of witness fees based upon schedules submitted monthly to and verified by the commissioner of administration and approved by the house and senate committees on ways and means	154,146
	General Fund 20.0%	
	Local Aid Fund 80.0%	
0330-3000	Item 0330-3000 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventynine is hereby amended by striking out the wording and inserting in place thereof the following:- For rentals or purchase of equipment in the Trial Court to be expended as determined by the Chief Administrative Justice, appropriation expires June thirtieth, nineteen hundred and eighty-one.	
	Superior Court.	

Item		
0331-0400	For payments of expenses of juries based upon schedules submitted monthly to and verified by the commissioner of administration and approved by the house and senate committees on ways and means	$1,019,024
	General Fund 20.0%	
	Local Aid Fund 80.0%	
	EXECUTIVE.	
	Governor.	
0411-1000	For the salaries of the governor and officers and employees in the governor's office	9,845
0411-1901	For postage, printing, office and other contingent expenses, including travel of the governor	82,000
0411-6000	For the office of intergroup affairs	500
	MILITARY DIVISION.	
	Adjutant General.	
0431-0200	Item 0431-0200 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following: provided, that an amount not to exceed seventy-five thousand dollars shall be used in connection with the o.p. sail eighty, activities	75,000
0431-0400	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property	54,294
	Civil Defense Agency.	
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	20,000
	SECRETARY OF THE COMMONWEALTH.	
0518-0000	For the purchase and distribution of certain journals of the house of representatives	1,500
0530-0100	For the expenses of the commission, appropriation expires June thirtieth, nineteen hundred and eighty-one	3,000
	TREASURER AND RECEIVER GENERAL.	
0610-0000	For the office of the treasurer and receivergeneral, including not more than one hundred and twelve permanent positions	192,892
	Highway Fund 30.0%	
	General Fund 70.0%	
0611-1000	For the administration and expenses of bonus payments to war veterans	1,500
0611-4000	For the administration of the Vietnam bonus payments	42,000
	State Board of Retirement.	
0612-0100	For the administration of the board; provided, that the position of executive secretary of retirement board shall not be subject to the provisions of chapter thirtyone of the General Laws, including not more than fortythree permanent positions	31,844

Item		
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	$3,983,773
	Highway Fund 15.0%	
	General Fund 84.3%	
	Inland Fisheries and Game Fund 0.2%	
	State Recreation Areas Fund 0.5%	
	Pensions for Retired Justices.	
0612-9000	For annuities for widows of certain former members of the uniformed branch of the state police	2,708
	General Fund 34.0%	
	Highway Fund 66.0%	
0640-0200	For the payment of prizes by the state lottery commission in accordance with the provisions of chapter seven hundred and ninety of the acts of nineteen hundred and seventy-nine; provided, that a sum equal to said payments shall be reimbursed by said commission from the revenues received under the provisions of said chapter seven hundred and ninety	1,000,000
	Debt Service.	
0699-1800	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the State Recreation Areas Fund	30,468
	State Recreation Areas 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	156,920
	EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.	
1101-2100	Item 1101-2100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "positions" the following: provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine an amount not to exceed three thousand dollars be allowed and paid from this item for certain services performed.	
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; provided, that, notwithstanding any provisions of chapter thirty-one of the General Laws, members of the capitol 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 personnel adminis-	

Item		
	trator; 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 other provision of law to the contrary, the superintendent of state buildings shall be eligible for a recruitment rate above the minimum effective November sixth, nineteen hundred and seventy-nine, including not more than four hundred and seven permanent positions	$251,376
1102-5211	For fuel and repairs of certain motor vehicles	210,000
	Comptroller's Division.	
1103-5010	Item 11035010 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding the words:- provided, that notwithstanding the last sentence of paragraph five A of section forty-six of chapter thirty of the General Laws or any other provision of any law to the contrary, the director of bureau of welfare auditing shall be eligible for a recruitment rate above the minimum effective February seventeen, nineteen hundred and seventy-nine.	
	Other Administration and Finance.	
1105-1000	Item 1105-1000 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding the words: provided, that notwithstanding the last sentence of paragraph five A of section forty-six of chapter thirty of the General Laws or any other provision of law to the contrary, position number 00015 shall be eligible for a recruitment rate above the minimum effective May twenty-nine, nineteen hundred and seventy-nine.	
	Group Insurance Commission.	
1120-1000	For administration of the group insurance program, including not more than forty-two permanent positions	11,746
	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, includingg not more than thirty-four permanent positions	12,985
	Miscellaneous.	
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	9,947
1599-0088	For the payment of certain court judgement entered in the Bristol superior court, docket numbers 34366 and 34575	28,000
	Highway Fund 100.0%	

Item		
1599-0089	For the payment of certain court judgement entered in the Suffolk superior court, docket number 99447 EQ	$5,700
	Highway Fund 100.0%	
1599-0090	For the payment of a certain claim as authorized by chapter seventeen of the resolves of nineteen hundred and seventy-nine	675
	General Fund 15.0%	
	Highway Fund 85.0%	
1599-0091	For the payment of a certain court judgement entered in the Hampden superior court, docket number 75-1560	52,250
1599-0092	For the payment of a certain court judgement entered in the United States District Court Springfield,docket number 76-3398-F	750
1599-0093	For the payment of a certain court judgement entered in the Worcester superior court, docket number 187681	29,457
	General Fund 15.0%	
	Highway Fund 85.0%	
1599-0094	For the payment of a certain court order entered in the Suffolk superior court, docket number 8576	48,000
1599-0095	For the payment of a certain court order entered in the United States District Court, docket number 77-829-F	6,770
1599-0096	For the payment of a certain court judgement in the Suffolk superior court, docket number 25761	28,074
1599-0097	For the payment of a certain court judgement entered in the Barnstable superior court, docket number 32076	5,034
1599-0098	For the payment of a certain court judgement entered in the Suffolk superior court, docket number 40626	6,145
1599-0099	For the payment of a certain court judgement entered in the United States district court, docket number 72-571-MC	60,000
1599-0100	For the payment of a certain commission against discrimination consent order numbered 70-WEMP-1C	1,500
1599-0101	For the payment of a certain reimbursement as authorized by chapter five hundred and thirty-six of the acts and resolves of nineteen hundred and seventy-nine	21,377
1599-0102	For reimbursement by the commonwealth to the city of Somerville for the costs relating to the chemical spill of April one, nineteen hundred and eighty	250,000
	Emergencies.	
1599-2025	For a reserve to meet 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 emergency shall have been certified by the agency and the secretary having jurisdiction over the requesting agency; and that the existence of the said emergency shall have been verified by	

Item		
	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	$900,000
1599-2036	For the payment of deficiencies in certain appropriations for previous years based upon schedules approved by the joint committees on ways and means; provided, that the comptroller is hereby authorized to allocate the amounts of such payments to the several state or other funds to which said payments would have been chargeable if appropriations had been available therefor	2,111,500
1599-2092	Item 1599-2092 of section two of chapter seven hundred and ninety-nine of the acts of nineteen hundred and seventy-nine is hereby amended by striking out the word "seventy-seven", in line 7, and inserting in place thereof:- eighty	13,294,186
1599-2095	Item 1599-2095 of section two of chapter six hundred and twenty-seven of the acts of nineteen hundred and seventy-nine is hereby amended by inserting a semi-colon after the words "July twenty-six, nineteen hundred and seventy-nine" the following:- and salary adjustments and other employee economic benefits authorized by a collective bargaining agreement executed on June thirty, nineteen hundred and seventy-nine.	
1599-2101	For a reserve to implement section seven of this act	266,725
1599-2102	For a reserve to meet the needs of certain additional costs for the department of correction facility expansion program during fiscal year nineteen hundred and eighty-one; provided, that sums may be transferred from this account to appropriate items upon recommendation of the commissioner of administration and prior approval by the house and senate committees on ways and means, appropriation expires June thirtieth, nineteen hundred and eighty-one	1,000,000
1599-3213	For a reserve to meet the cost of certain personnel classification appeals, approved and granted by the personnel administrator in accordance with the provisions of section forty-nine of chapter thirty of the General Laws 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 eighty, such amounts as are necessary to meet the costs of such appeal decisions for the fiscal year nineteen hundred and eighty and prior years where the amounts otherwise available are insufficient for the purpose, to be in addition to amounts otherwise appropriated for such purposes for said fiscal years; 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	350,000

Item		
	EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.	
	Department of Environmental Management.	
	Division of Forests and Parks.	
2120-1300	For the suppression of insect pests and shade tree diseases, including brown tail moths and Japanese beetles, and including not more than thirty-two permanent positions	$1,950
2120-1600	For providing public transportation assistance to the recreation areas and facilities of the Boston Harbor Islands	8,500
2120-1601	For the administration and study necessary to prepare a plan for a Lowell-Lawrence "Greenway" program	20,000
	Division of Water Resources.	
2130-0100	For the administration of the division, including programs of wetlands restrictions, water planning, and certain watershed protection and flood control activities, including expenses of certain flood control commissions, including not more than twenty-five permanent positions	101,725
2130-0110	For certain prior year reimbursements due the state of New Hampshire representing a portion of tax losses resulting from the development of flood control structures in the Merrimack river valley	417,294
	Department of Environmental Quality Engineering.	
	Office of the Commissioner.	
2200-0100	Item 2200-0100 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, certain contractual services rendered during the period January sixth, nineteen hundred and seventy-nine through November first, nineteen hundred and seventy-nine to an amount not to exceed thirty thousand two hundred dollars, for which prior approval had not been given, shall be allowed and paid from this item	13,600
	Division of Water Pollution Control.	
2240-0900	For the administration of the collection sewer grants management program, including not more than five permanent positions	7,700
2260-0100	Division of hazardous waste	25,200
	Division of Waterways.	
2270-0100	Item 2270-0100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided; that there shall be allowed and paid from this item an amount of twelve hundred thirty dollars for certain previous years plans and specifications deposits unaccounted for.	
2270-1400	Item 2270-1400 of section two of chapter three hundred and forty-two of the acts of nineteen hundred and seventy-nine is hereby amended by striking out the wording and inserting in place thereof the fol-	

Item		
	lowing wording:- For replacement of retaining wall at Pico beach, town of Winthrop, appropriation expires June thirtieth, nineteen hundred and eighty-one	$10,000
2270-1600	For a certain flood control project in Green Brook in the city of Holyoke, the same to be in addition to funds in like amount appropriated by said city for such project; provided, that no expenditure shall be made from this appropriation after December thirtyfirst, nineteen hundred and eighty-one	50,000
2270-9002	For repairs and construction of Lake Ripple Dam in the town of Grafton, appropriation expires June thirtieth, nineteen hundred and eighty-one	175,000
	Department of Fisheries, Wildlife and Recreational Vehicles.	
	Office of the Commissioner.	
2310-0200	For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board; and payment of damages caused by wild deer, including not more than thirtyone permanent positions	2,000
	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	10,000
	Inland Fisheries and General 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 cooperative 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 sixtyone permanent positions	27,212
	Inland Fisheries and Game Fund 100.0%	
	Department of the Metropolitan District Commission.	
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 forty percent shall be allocated to participants in the city of Boston, twenty-five per cent shall be allocated to participants within those cities and towns which comprise the metropolitan parks, sewerage and water districts and thirty-five per cent 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 the item; and provided further, that alloca-	

Item		
	tions made in accordance with this item may be expended by the selected participants without further appropriation, prior appropriation continued	$500,000
	Metropolitan Water System.	
2420-0100	For the maintenance and operation of the metropolitan water system, including not more than six hundred and thirteen permanent positions	165,700
	MDC Water District Fund 100.0%	
2420-1300	For enclosing a pipe culvert of a break in the city of Marlborough as authorized by chapter seven hundred and forty-nine of the Acts and Resolves of nineteen hundred and seventy-four, appropriation expires June thirtieth, nineteen hundred and eighty-one	53,280
	MDC Water District Fund 100.0%	
	Metropolitan Parks District.	
2444-5511	For a sailing program at Pleasure bay, appropriation expires June the thirtieth, nineteen hundred and eighty-one	15,000
	MDC Parks District Fund 100.0%	
	Construction Division.	
2460-1000	Item 2460-1000 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- and provided, further, that a settlement agreement in the amount of sixty-six thousand three hundred and seventy-five dollars may be allowed and paid from this item	66,375
	MDC Sewerage District Fund 50.0%	
	MDC Water District Fund 50.0%	
	Department of Food and Agriculture.	
	Division of Markets.	
2516-1000	For the administration of the division, and for programs of quality improvements of dairy products, preparing crop survey reports, and improving roadside markets, including not more than fourteen permanent positions	4,500
	EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.	
	Division of Community Development.	
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 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	815,879
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		
	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	$4,488,000
3731-2022	For a contract between the Executive Office of Communities and Development and the Massachusetts LaborManagement Center, Inc., to be applied as matching state funds with an economic development administration grant awarded to said center for joint labor management services to create and save jobs in the Lawrence and Haverhill areas. Progress reports and a final report to be filed with the Executive Office of Communities and Development, appropriation expires June thirtieth, nineteen hundred and eighty-one	36,000
	DEPARTMENT OF YOUTH SERVICES.	
4200-0010	For the administration of the department, including not more than eighty-two permanent positions; provided, that the sum of twenty-five thousand dollars shall be expended for discharging a moral obligation to the Salem Young Men's Christian Association in the city of Salem	56,000
	Bureau of Institutional Services.	
	For the administration and maintenance of and for certain improvements at the institutions within the bureau:	
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-five permanent positions	166,000
	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 sixty-six permanent positions	74,000
4311-0003	For a halfway house program, including not more than nine permanent positions, provided that certain prior year obligations in the amount of eighteen hundred dollars shall be allowed and paid from this item to the Hope Home of Holyoke	1,800
4311-0004	For a health service program, including not more than eighty permanent positions	157,500
	For the maintenance of and for certain improvements at the following institutions under the control of the department:	

Item		
4313-0001	Correctional institution at Walpole, including not more than three hundred and thirty-nine permanent positions	$40,000
4313-0002	For certain equipment, appropriation expires June thirtieth, nineteen hundred and eighty-one	106,500
4344-0001	For a Southeastern correctional center, including not more than one hundred and seven permanent positions	25,000
	DEPARTMENT OF PUBLIC WELFARE.	
4400-1000	Item 4400-1000 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by inserting after the word "positions" the following:- provided, that from the unexpended balance remaining in item 4800-0010 the sum of five hundred thousand dollars is hereby transferred and made available for the purposes of this item; and provided, further, that judgments, settlements, and arbitration awards not to exceed thirty thousand dollars for prior years' services but finally determined during the current fiscal year may be paid from this item.	
4401-1002	For care and maintenance account prior year expenses	450,000
4402-5000	Item 4402-5000 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by striking out the following wording after the words ways and means; "and provided further, that an amount not exceeding one hundred twenty million dollars may be expended from this item for expenses incurred in the prior fiscal year" and inserting in place thereof the following:- and provided, further, that an amount not exceeding one hundred thirty million dollars may be expended from this item for expenses incurred in the prior fiscal years.	
4403-2002	Aid to families with dependent children - prior year expenses Westcott case	50,000
4405-2000	Item 4405-2000 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding the words:- ; and provided, further, that all judgements, appeals and rate changes not to exceed nine hundred thousand dollars for services provided in prior years but finally determined during the current fiscal year may be paid from this item.	
	DEPARTMENT OF PUBLIC HEALTH.	
	Bureau of Administration.	
4510-0100	For the administration of the bureau, provided that the position of assistant commissioner shall not be subject to chapter thirty-one of the General Laws, including not more than forty-nine permanent positions	361,082
4510-0601	For the sampling, including core drilling and removal of the potential radioactive waste problem in Finberg Field in the town of Attleboro, appropriation expires June thirtieth, nineteen hundred and eighty-one	130,000
4510-0710	For the administration of the Office of Regulation, including not more than thirty-five permanent positions, appropriation expires June thirtieth nineteen hundred and eighty-one	95,000

Item
4510-0750 Item 4510-0750 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided that notwithstanding the provisions of section twenty-nine A of chapter twentynine the amount of one thousand thirteen dollars and eight cents shall be allowed and paid from this item for certain services rendered during the months of July, August and September, nineteen hundred and seventy-nine.

4510-1502 For the administration of the office of state health planning including a health maintenance organization program, provided, however, that not less than seventy-eight thousand three hundred and twenty-six dollars shall be spent for a program to provide technical assistance services to ambulatory health care programs administered by community health centers as referred to in section three hundred and thirty of the Federal Public Health Service Act of nineteen hundred and seventy-five, including not more than one permanent position, appropriation expires June thirtieth, nineteen hundred and eighty-one $78,326

Bureau of Chronic Disease Control.

4512-0900 Item 4512-0900 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that certain prior year expenses amounting to nine thousand eight hundred three dollars and fifty cents shall be allowed and paid from this item.

Bureau of Health Services.

4513-1000 Item 4513-1000 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that certain prior year expenses amounting to sixty-six thousand dollars shall be allowed and paid from this item.

4513-1010 For a study of the feasibility and usefulness of testing newborn children for the disease of tuberous sclerosis, appropriation expires June thirtieth, nineteen hundred and eighty-one 25,000

Institute of Laboratories.

4516-0100 Item 4516-0100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that certain prior year expenses amounting to five thousand three hundred thirty-four dollars and nineteen cents shall be allowed and paid from this item.

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

Notwithstanding any law to the contrary, all revenue accrued through the public health hospitals, in excess of their appropriation, may be expended without further appropriation subject to the approval of the commissioner of public health and the state comptroller, for said hospitals, including costs of materials, supplies, and equipment, maintenance of hospital facilities, and compensation to employees. This pro-

Item

gram shall be subject to full audit and annual report by the state auditor.

4532-0001 Item 4532-0001 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that certain prior year expenses provided further, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine certain contractual services rendered during the month of July, nineteen hundred and seventy-eight in an amount not to exceed thirty thousand eight hundred seventytwo dollars and sixtyfour cents, for which prior approval had not been given, shall be allowed and paid from this item.

DEPARTMENT OF SOCIAL SERVICES.

4801-1000 For care and maintenance of children under the jurisdiction of the division of children and family services; provided, 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; and provided further, that the department of public welfare will report on a monthly basis to the house and senate committees on ways and means on development of new slots $4,425,870

DEPARTMENT OF MENTAL HEALTH.

Notwithstanding any provision of law to the contrary, the department of mental health shall report quarterly to the house and senate committees on ways and means expenditures made, by region, for the establishment of new community-based programs; status of community-based program including starting dates, number of clients served per program, the cost for the start-up month and the cost for the full fiscal year.

Notwithstanding any provision of law to the contrary, the department of mental health shall submit, quarterly, in writing, and by region to the house and senate committees on ways and means a status report on the deinstitutionalization program at all state mental health and retardation facilities, including state schools for the retarded. This shall include the identification of patients to be moved into the community as well as the program in which they will be placed, and the dates on which they are to be deinstitutionalized.

Provided further that the department of mental health shall submit quarterly, in writing, by region and by program, to the house and senate committees on ways and means status reports on the Individual Service Plans, "ISPs", of clients deinstitutionalized from february first, nineteen hundred and seventynine to June thirtieth, nineteen hundred and eighty.

5011-0000 Item 5011-0000 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that notwithstanding any provision of law to the contrary the sum of sixteen hun-

Item		
	dred fortythree dollars and seventy-three cents shall be paid from this item for services rendered in the fiscal year nineteen hundred and seventy-nine.	
5016-0100	Item 5016-0100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "eighty" the following:- provided, that, notwithstanding the provisions of section twentynine A of chapter twenty-nine of the General Laws, payments in the amount of twenty-three thousand one hundred thirty-five dollars and forty-five cents for certain consultant services rendered at the Walter E. Fernald state school during the months of July, August, September, October, November, and December, nineteen hundred and seventy-eight, and January, February, and March, nineteen hundred and seventy-nine, and which were paid for during fiscal year nineteen hundred and seventy-nine, may be allowed; provided further that there shall be allocated from funds appropriated herein the sum of seventy-five thousand dollars to be expended for a state wide program of physical education events and sporting contests for the mentally retarded.	
	Region Two.	
5241-0000	For administration, including not more than eleven permanent positions	$17,255
	Region Three.	
5300-0100	Item 5300-0100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventynine is hereby amended by inserting after the word "positions" the following:- and provided further that the provisions of administrative bulletin 801 CMR are waived to allow the payment to AMIC Behavioral Education Center for expenses incurred to a certain client for the time period of October first to November twelfth, nineteen hundred and seventy-eight in the amount of one thousand seven hundred and eleven dollars during fiscal year nineteen hundred and seventy-eight be paid from this item and provided further, notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, payments for services by the North Shore children's hospital under contract #3450 in the amount of four thousand one hundred and thirty-three dollars of the current fiscal year be paid from this item.	
	Region Four A.	
5441-0000	For administration, including not more than ten permanent positions	24,802
5451-0100	Item 5451-0100 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "positions" the following:- provided, that a payment in the amount of seventy-five dollars and sixty-seven cents for an outstanding salary advance issued in a prior fiscal year shall be allowed and paid from this account.	
5483-0100	Item 5483-0100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by striking out the wording and inserting in place thereof the following:- For the main-	

tenance of the Walter E. Fernald state school; provided, that, notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, payments in the amount of six thousand three hundred thirty-eight dollars and thirty-two cents for certain consultant services rendered at the Walter E. Fernald state school during the months of July, August, September and December, nineteen hundred and seventy-eight, and which were paid for during fiscal year nineteen hundred and seventy-nine, may be allowed, including not more than one thousand one hundred and thirtyseven permanent positions.

Region Six.

5641-0000 For administration, including not more than eleven permanent positions $19,111

Region Four B.

5841-0000 For administration, including not more than eleven permanent positions 32,855

5895-0100 Item 5895-0100 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "means" the following:- provided that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws that the sum of one thousand six hundred and three dollars and three cents be paid from this item for certain legal services provided during fiscal year nineteen hundred and seventy-eight and nineteen hundred and seventy-nine.

5896-0100 Item 5896-0100 of section two of chapter three hundred and seventynine of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "means" the following:- provided that the sum not to exceed seven thousand eight hundred and fortyeight dollars be allowed and paid from this account as a moral obligation to a former employee 7,848

5897-0100 For the maintenance of the Cushing hospital, including not more than seven hundred and ten permanent positions 125,000

EXECUTIVE OFFICE FOR TRANSPORTATION AND CONSTRUCTION.

Massachusetts Bay Transportation Authority.

6005-0100 For contracts to provide for the operation of commuter boat services 69,800

Administrative and Engineering Expenses.

6020-0793 For the purchase and installation of an air conditioner for the department of public works computer room, appropriation expires June thirtieth, nineteen hundred and eighty-one 50,000

Highway Fund 100.0%

6020-2401 For the purchase of all administrative and engineering equipment, including the purchase of computer equipment, effective February twenty-second, nineteen hundred and eighty and for interest incurred from February twenty-second, nineteen hundred and eighty to June thirtieth, nineteen hundred and eighty 170,000

Highway Fund 100.0%

6020-2402 For the purchase of piping and equipment to repair a drain near route 1A in the city of Attleboro 5,000

6030-7607 For the purchase of an acrow panel bridge 88,000

Item		
6034-0002	For reimbursement to the town of Sudbury for the Landham Road Highway construction project for the years nineteen hundred and sixty-nine to nineteen hundred and seventy-seven	$116,000
	EXECUTIVE OFFICE OF EDUCATIONAL AFFAIRS.	
	Compact for Education.	
7000-0751	For the commonwealth's share of the cost of the compact for education	10,125
	DEPARTMENT OF EDUCATION.	
	Board of Education and Commissioner's Office.	
7010-0005	Item 7010-0005 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that a payment in the amount of two hundred forty-four dollars and ninety-seven cents for an outstanding salary advance issued in a prior fiscal year shall be allowed and paid from this item.	
	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:	
7109-0100	State college at Bridgewater, including not more than four hundred and ninety-three permanent positions	34,000
7111-0100	State college at Framingham, including not more than three hundred and seventy-one permanent positions	30,000
7114-0100	Item 7114-0100 is hereby amended by adding at the end thereof the following:- and provided further, the comptroller shall write off a certain prior year payroll advance unaccounted for in the amount of one hundred dollars previously charged to this item.	
7114-9704	For the commonwealth's contribution toward federal student loan programs and federal work-study programs	16,346
7118-0100	Massachusetts maritime academy and ship, including not more than one hundred and sixty-four permanent positions	46,000
	University of Lowell.	
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	10,000
7310-1002) 7310-8785)	Item 7310-8785 of section three of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven is hereby amended by inserting after the word "halls", in line 2,	

the following:- including office space and the cost of furnishings and equipment.

7416-1001 For the maintenance of the facilities of the university in the city of Boston, including not more than one thousand and eighteen permanent positions, appropriation expires June thirtieth, nineteen hundred and eighty-one $43,000

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 Item 7501-1001 is hereby amended by adding at the end thereof the following:- and provided further that certain prior years' obligations in the amount of three thousand five hundred fifty-six dollars and forty-one cents shall be allowed and paid from this item.

7503-0100 Bristol community college, including not more than one hundred and ninety-one permanent positions 8,500

7514-0100 Item 7514-0100 of section two of chapter three hundred and ninetythree of the acts of nineteen hundred and seventy-nine is hereby amended by inserting after the word "positions" the words:- provided, that certain prior year obligations in the amount of one thousand four hundred sixty-six dollars and forty-six cents shall be allowed and paid from this item.

7515-0100 Roxbury community college, including not more than eighty-six permanent positions 28,000

7518-0100 Bunker Hill community college, including not more than one hundred and eighty one permanent positions 33,581

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Division of State Police.

8312-0100 Item 8312-0100 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by inserting a semi-colon after the word "positions" and adding immediately thereafter the following:- provided that the cost of clothing allowances granted pursuant to collective bargaining agreements due and owing November thirtieth, nine-teen hundred and seventynine may be paid from this account; provided further that, notwithstanding any provisions to the contrary, the comptroller shall write off from the books of the commonwealth the sum of one hundred and fortysix dollars for a certain prior year advance unaccounted for and deemed uncollectable by the attorney general 800,000

General Fund	15.0%
Highway Fund	85.0%

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

9000-0100 Item 9000-0100 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- ; provided, that notwithstanding the provisions of section twentynine A of chapter twentynine of the General Laws and any other general or special law or

Item		
	regulation to the contrary, certain contractual services rendered during the period February fourteenth, nineteen hundred and eighty through April fifteenth, nineteen hundred and eighty in an amount not to exceed one hundred and thirty-seven thousand dollars, for which approval has not been given, shall be allowed and paid from this item	$137,000
	Department of Labor and Industries.	
9020-1031	Item 9020-1031 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided further, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, certain contractual services rendered during the period January first, nineteen hundred and eighty through February sixth, nineteen hundred and eighty in an amount not to exceed four thousand six hundred and fifty-nine dollars, for which prior approval had not been given shall be allowed and paid from this item, prior appropriation continued.	
9091-0100	Item 9091-0100 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "positions" the following: provided, that the sum not to exceed two thousand five hundred and two dollars be allowed and paid from this account for a salary adjustment	2,502
	Division of Economic Development.	
9091-0400	Item 9091-0400 of section five of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine is hereby amended by adding at the end thereof the following:- provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, certain contractual services rendered during the period September ninth, nineteen hundred and seventy-nine through October twentieth, nineteen hundred and seventy-nine in an amount not to exceed five thousand four hundred dollars, for which prior approval had not been given shall be allowed and paid from this item.	
9091-1004	For the Massachusetts Industrial Finance Agency Insurance Fund established by section thirty-two of chapter twenty-three A of the General Laws, as amended by chapter four hundred and ninety-six of the acts of nineteen hundred and seventy-eight	2,000,000
	EXECUTIVE OFFICE OF ELDER AFFAIRS.	
	Office of the Secretary.	
9110-1630	For a home care program for the elderly eligible for home care services pursuant to regulations adopted by the department which shall include a sliding fee scale system; and provided that not less than 1.5 million dollars and not more than 2.5 million dollars of the funds appropriated hereunder shall be used for the provision of home care services through said sliding fee scale system to certain persons ineligible for Title XX services; provided that to the extent practicable the department shall maximize available federal	

Item

reimbursement for program expenses; provided that no more than two per cent of the funds appropriated hereunder may be used to meet matching requirements of Title III of the Older Americans Act; and, provided furthur, that the department shall conduct, either through existing resources or with a private contractor, a system-wide management audit of the home care corporations, and shall report the preliminary results of the system-wide audit to the house and senate committees on ways and means by January first, nineteen hundred and eighty $4,000,000

EXECUTIVE OFFICE OF CONSUMER AFFAIRS.
DEPARTMENT OF BANKING AND INSURANCE.

For the services of the following agencies in the division:

9230-1200 Board of public accountancy, including not more than eleven permanent positions 16,124

9230-2100 Board of registration of radio and television technicians, including not more than seven permanent positions 1,500

9230-2700 Board of registration of psychologists 200

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and eighty-one certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and eighty, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and eighty-one.

0301-0553	0320-0003	4313-9002
0330-2700	2410-9051	4409-3000
0330-2900	2410-9061	4513-2110
1100-8758	2420-1200	5036-0100
1102-3901	2420-8781	5046-0100
1102-3915	2429-7140	5452-0100
1102-8783	2429-7150	5691-8741
1103-1010	2439-7270	5766-8742
1120-1600	2439-7340	6020-8781
1599-2012	2440-8778	6020-8782
1599-2043	2440-8783	6020-8783
1599-2099	2440-8793	6030-7403
1599-2101	2442-9032	6033-1007
1599-3203	2444-9013	6033-1011
1599-3208	2444-9018	6034-0001
1599-3500	2449-7270	6034-0008
2120-8781	2449-7330	7109-8721
2140-0150	2449-7350	7114-8721
2270-0500	2449-7390	7114-8723
2270-1400	2449-8757	7114-8751
2270-1500	2490-0001	7504-9001
2270-1600	3724-9002	8321-9031
2270-0991	4170-0400	9091-0405
2270-9002	4202-0025	
2270-0400	4313-8751	

Item

SECTION 2B. For the purpose of making available for expenditure in the fiscal year nineteen hundred and eighty-one certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and eighty, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and eighty-one, provided, that unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated:-

0138-0010	4180-8753	6032-8641	7505-8741
0138-8741	4180-8754	6032-8573	7506-8711
1100-8751	4180-8785	6032-8611	7506-8721
1100-8752	4190-8781	6032-8671	7506-8722
2429-7090	4223-8721	6032-8691	7509-8721
2429-7141	4312-8721	6059-0000	7510-8732
2429-7160	4313-8782	7108-8692	7512-8751
2429-8751	4313-9001	7109-8691	7514-8751
2429-8752	4314-8751	7109-8711	7514-8752
2430-9007	4314-8752	7110-8723	7514-8753
2439-7250	4314-9002	7111-8722	7515-8711
2439-7296	4314-9003	7112-8721	7516-8751
2439-8751	4532-8751	7113-8712	8400-0029
2439-8752	5162-8741	7114-8693	8400-8752
2439-8760	5163-8741	7114-8754	
2440-8781	5164-8681	7114-8781	
2440-8752	5164-8741	7115-8741	
2448-8752	5181-8741	7116-8751	
2449-7260	5182-8721	7117-8751	
2449-7265	5191-8741	7118-8705	
2449-7230	5293-8781	7118-9002	
2449-8754	5294-8741	7220-8781	
2449-8755	5471-8721	7250-8771	
2490-0004	5491-8721	7250-8712	
2490-0006	5561-8721	7490-0048	
2490-0007	5691-8741	7490-8702	
2611-8751	5766-8741	7490-8706	
2632-7200	5781-8741	7490-8716	
2611-9023	6004-8726	7490-8721	
2630-8701	6004-8753	7490-8722	
2630-9100	6004-8756	7490-8727	
2630-9060	6032-2021	7490-8751	
2681-8751	6032-4023	7490-8753	
2681-8752	6032-4026	7503-8751	
2681-9011	6032-4030	7504-8701	
2681-9029	6032-4037	7504-8752	
2681-9030	6032-4038	7504-8752	
2685-9011	6032-7000	7504-8781	

SECTION 3. Items 0320-0001 through 0340-1100, inclusive, in section two of chapter three hundred and ninety-three of the acts of nineteen hundred and seventy-nine are hereby charged as follows:-

General Fund	20.0%
Local Aid Fund	80.0%

SECTION 4. The comptroller is hereby authorized to write off certain prior years advances unaccounted for in the total amount of four hundred and fifty-three thousand, one hundred and twenty-five dollars in accordance with a detailed schedule on file with the house and senate committees on ways and means.

SECTION 5. As of June thirtieth, nineteen hundred and eighty, the comptroller shall charge the surplus account of the General Fund with the amount of the deficit in the Highway Fund.

SECTION 6. As of June thirtieth, nineteen hundred and eighty, the comptroller shall charge the surplus account of the General Fund with a portion of the deficit of the Local Aid Fund, such portion to be determined by subtracting from the total deficit in said Local Aid Fund the difference between the expenditures to be charged to said Local Aid Fund in the nineteen hundred and eighty-one fiscal year and the revenues to be credited to said Local Aid Fund in such year, both as estimated by the commissioner of administration.

SECTION 7. Notwithstanding any provision of general or special law to the contrary, any court officer employed by a department of the trial court who did not receive the salary increase provided under the provisions of section three of chapter three hundred and seventy-five of the acts of nineteen hundred and seventy-eight shall be entitled to a salary increase equivalent to the sum of said increases as provided by said section three of said chapter three hundred and seventy-five.

SECTION 8. Notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws or any other provisions of law to the contrary, a payment in the amount of fourteen thousand seven hundred and thirty-five dollars due and owing shall be allowed and paid from account number 2630-8701 for services rendered in connection with repairs to a skating rink in the city of New Bedford.

SECTION 9. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other provision of law to the contrary, a payment in the amount of two hundred forty-two thousand two hundred and fifty-seven dollars as compensation for certain consultant services rendered to the office of manpower development during the period of December first, nineteen hundred and seventy-eight through February twenty-ninth, nineteen hundred and eighty shall be allowed and paid from federal grant numbered 9000-1616.

SECTION 10. Notwithstanding the provisions of said section twenty-nine A of said chapter twenty-nine or any other provision of law to the contrary, a payment in the amount of nineteen thousand two hundred and sixty-three dollars as compensation for certain consultant services rendered to the office of manpower development during the period of December first, nineteen hundred and seventy-eight through December thirty-first, nineteen hundred and seventy-nine shall be allowed and paid from federal grant numbered 9000-1602.

SECTION 11. Notwithstanding the provisions of said section twenty-nine A of said chapter twenty-nine or any other provision of law to the contrary, a payment in the amount of ten thousand four hundred and ninety-two dollars as compensation for certain consultant services rendered to the department of environmental quality engineering during the period of March twenty-sixth, nineteen hundred and seventy-nine through December

second, nineteen hundred and seventy-nine shall be allowed and paid from federal grant numbered 2200-9001.

SECTION 12. Notwithstanding the provisions of said section twenty-nine A of said chapter twenty-nine or any other provision of law to the contrary, a payment in the amount of eight hundred and thirty-three dollars as compensation for certain consultant services rendered to the office of manpower development during the period of October first, nineteen hundred and seventy-nine through October fifteenth, nineteen hundred and seventy-nine shall be allowed and paid from federal grant numbered 9000-1614.

SECTION 13. Section 11 of chapter 513 of the acts of 1978, as amended by section 18 of chapter 798 of the acts of 1979, is hereby further 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 three of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of one hundred and thirty-three million one hundred and twenty thousand dollars.

SECTION 14. Item 7310-9006 of section 2 of chapter 342 of the acts of 1979 is hereby amended by inserting after the word "building", in line 2, the words:- , including the purchase of supplies.

SECTION 15. Section 7 of chapter 21A of the General Laws is hereby amended by striking out the last sentence, added by section 848 of chapter 872 of the acts of 1977, and inserting in place thereof the following sentence:- The secretary, subject to appropriation, may determine the salary of the commissioner of environmental quality engineering, subject to the approval of the governor; 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 16. Section 2 of chapter 22 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 90 of said chapter 872, and inserting in place thereof the following sentence:- The commissioner of public safety shall receive a salary of thirty-nine thousand dollars, and shall devote his full time during business hours to the duties of his office.

SECTION 16A. The first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 176 of chapter 478 of the acts of 1978 is hereby amended by striking out the line reading "first district court of Bristol.".

SECTION 16B. The second paragraph of said section 10 as so appearing is hereby amended by adding before the line reading "fourth district court of Bristol" the line:- "first district court of Bristol.".

SECTION 17. Section 3 of chapter 28 of the General Laws, as most recently amended by section 4 of chapter 374 of the acts of 1979, is hereby further amended by adding after the end of the first paragraph the following paragraph:-

Notwithstanding the provisions of section forty-five of chapter thirty or chapter thirty-one of the General Laws, the positions of chief engineer, the director of the sewerage division and chief sewerage engineer, and the director of the water division and chief water supply engineer shall be unclassified.

SECTION 17A. Chapter 150E of the Massachusetts General Laws, as most recently amended

by chapter 342 of section 13B of the acts of 1979 is hereby amended in section 7, paragraph (d), subsection (p) by adding after the words "eighty-nine" the words: ninety-four. This section shall take effect as of July 1, 1979.

SECTION 18. 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-eight thousand three hundred and eighty-four" inserted by section 199 of chapter 872 of the acts of 1977, and inserting in place thereof the words:- forty-one thousand seven hundred and thirty.

SECTION 19. The last paragraph of section 4 of chapter 598 of the acts of 1958 is hereby amended by striking out the words "ten thousand nine hundred and twenty-three", - inserted by section 202 of chapter 872 of the acts of 1977, and inserting in place thereof the words:- thirteen thousand two hundred seventy.

SECTION 20. The board of trustees of the University of Massachusetts is hereby authorized and directed to provide ten thousand square feet of suitable office space and facilities in the building located at 100 Arlington Street in the city of Boston to the board of trustees of state colleges.

SECTION 21. Section 7 of chapter 329 of the acts of 1980 is hereby amended by adding at the end thereof the following:

"provided, however, that said amount shall be increased to eighteen cents a mile where the terms of a duly executed collective bargaining agreement approved by the general court so provide, or where such state employees are not members of collective bargaining units.".

SECTION 22. Section 2 of chapter 329 of the acts of 1980 is hereby amended by striking out items: 0332-1600; 0332-5500; 0333-0100; 0340-0100; 1201-0100; 2444-9001; 7027-1001; 7118-0100; 7118-0101; 9020-1031 and inserting in place thereof the following items:

0332-1600	First district court of Bristol (Taunton) including not more than thirty permanent positions	$528,500
0332-5500	District court of Southern Norfolk including not more than twenty-eight permanent positions	546,000
0333-0100	Barnstable, including not more than eighteen permanent positions	396,035
0340-0100	Suffolk, including not more than one hundred and eleven permanent positions provided that not less than eighty-five thousand dollars be allocated for the purpose of establishing a training and education program for district attorneys and assistant district attorneys; provided further that said program be administered on a contractual basis by an accredited law school located within the commonwealth	4,055,000
1201-0100	For the administration of the departments, including audits, of certain foreign corporations, and for the rental, maintenance and operation of offices to assist in the administration of the department, provided that said department shall establish and maintain an office in the town of Greenfield, to be open not less than three days per week; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and sixty thousand dollars from the receipts of the 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 five hundred and one permanent positions	28,852,600
	Highway Fund 10.0%	
	General Fund 90.0%	

Item		
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 that not less than four hundred and sixty thousand dollars shall be spent for Pemberton Pier in Hull; and provided further, that the Weymouth landing project be started before April first, nineteen hundred and eighty-one, prior appropriation continued	$1,435,000
	Highway Fund 100.0%	
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	600,000
7118-0100	Massachusetts maritime academy and ship, including not more than one hundred and twenty-seven permanent positions	3,470,379
7118-0101	Massachusetts maritime academy and ship, administrative positions, including not more than forty-six permanent positions, which shall be reduced by February first, nineteen hundred and eighty-one, to not more than forty-five permanent positions	1,073,745
9020-1031	For a Joint Labor-Management Committee, prior appropriation continued	352,785

SECTION 22A. Chapter three hundred and twenty-nine of the acts of nineteen hundred and eighty is hereby amended in section two by deleting item 0332-2600 and inserting in place thereof the following new item:

0332-2600	District court of Lawrence, including not more than forty-three permanent positions	807,000

SECTION 22B. Section 31A of chapter 29 of the General Laws is hereby amended by striking out clause (a) and inserting in place thereof the following clause:-

(a) Upon the death of a state employee who is eligible for vacation under the rules of the director of personnel and standardization, or judge, justice or any other employee of the courts of the commonwealth who is eligible for vacation, payment shall be made in an amount equal to the vacation allowance as earned in the vacation year prior to the employee's death but which had not been granted, and, in addition, that portion of the vacation allowance earned in the vacation year during which the employee died, up to the time of his separation from the payroll; provided, that no monetary or other allowance has already been made therefor. The bureau of personnel and standardization may, upon request of the appointing officer of the deceased employee, authorize the payment of such compensation upon the establishment of a valid claim therefor, in the following order of precedence.

First: To the surviving beneficiary or beneficiaries, if any, lawfully designated by the employee under the state employees' retirement system;

Second: If there be no such designated beneficiary, to the estate of the deceased.

The chief administrative justice of the trial court of the commonwealth may, upon request of the appointing officer of the deceased employee, authorize the payment of such compensation for the court system upon the establishment of a valid claim therefor, in the same order of precedence.

SECTION 22C. Section 22B shall take effect as of January first, nineteen hundred and eighty.

SECTION 23. This act shall take effect upon its passage.

Approved July 2, 1980.

Chap. 355. AN ACT AUTHORIZING THE TOWN OF DANVERS TO REIMBURSE CULLEN FUEL, INC. FOR EXCESS TAXES PAID.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law to the contrary, the town of Danvers is hereby authorized to pay one thousand one hundred and seventy-six dollars to Cullen Fuel, Inc. such sum being for reimbursement of excess taxes paid by said corporation.

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

Approved July 3, 1980.

Chap. 356. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Lawrence is hereby authorized to appropriate the sum of four thousand one hundred and thirty-four dollars and after such appropriation, the treasurer of said city is authorized to pay two thousand and sixty-seven dollars to Paul Hanlon and two thousand and sixty-seven dollars to Joseph McComisky for certain computer related services rendered by them to the school committee of said city, the bills for which are legally unenforceable against said city.

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

Approved July 3, 1980.

Chap. 357. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO CONVEY CERTAIN LAND IN SAID TOWN TO TEDESCHI REALTY CORPORATION IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 494 of the acts of 1979 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The town of Braintree, by its board of selectmen, is hereby authorized to convey to Tedeschi Realty Corporation two parcels of land in said town being the land shown on asses-

sors plan plot 1, plan 1096, containing 53,755 square feet, more or less, and as plot 7, plan 1094, containing 43,200 square feet, more or less, presently under the control and management of said town forest committee and bounded and described as follows:

Plan 1096 Plot 1

Beginning at an angle point on the northeasterly sideline of Liberty Park Avenue, so called, where the northerly sideline of Liberty Park Avenue, so called a Private Way, intersects with the easterly sideline of Liberty Park Avenue, so called, an accepted Public Way, said point being the northeasterly corner of Liberty Park Avenue, so called, as laid out by the Board of Selectmen on April 28, 1975 and as accepted by the Braintree Special Town Meeting on May 10, 1976; thence running in a westerly direction along the said northerly sideline of Liberty Park Avenue, so called, for a distance of two hundred seventy (270) feet, more or less, to a point; thence turning to the right and running in a northerly direction for a distance of one hundred eighty-three (183) feet, more or less, to a point; thence turning to the right and running in an easterly direction for a distance of three hundred fifty (350) feet, more or less, to a point; thence turning to the right and running in a southwesterly direction for a distance of one hundred eighty (180) feet, more or less, to the point of beginning; containing in all an area of approximately 53,755 square feet, including lots no. 54 through 59 inclusive as shown on Assessors Plan no. 1096, plot no. 1.

Plan 1094 Plot 7

Beginning at a concrete bound on the southerly sideline of Liberty Park Avenue, so called, a private way, said bound being located when measured in a westerly direction two hundred ninety-four (294) feet, more or less, from an iron pipe located on the northerly terminus of Liberty Park Avenue, so called, as laid out by the Board of Selectmen on April 28, 1975 where said Liberty Park Avenue layout intersects the said southerly sideline of Liberty Park Avenue, a private way; thence running along the said southerly sideline of Liberty Park Avenue south 81 degrees 20 minutes 50 seconds east for a distance of two hundred (200) feet to an iron pipe; thence turning to the right and running south 08 degrees 39 minutes 10 seconds west for a distance of two hundred twenty-five (225) feet to a point; thence turning to the right and running north 80 degrees west for a distance of two hundred (200) feet to a point; thence turning to the right and running in a northerly direction for a distance of two hundred twenty-one (221) feet, more or less, to the point of beginning, containing in all an area of approxi-

mately 43,200 square feet and consisting of lots 29, 30, 31, and 32 as shown on Assessors plan no. 1094 plot no. 7.

In exchange for said conveyance to said town the Tedeschi Realty Corporation shall convey to said town the following parcels of land for town forest purposes: parcel of land off Liberty Park avenue in said town, being a portion of plot 2, plan 1092, as shown on the town of Braintree assessors map, comprising lots 39 to 51, inclusive, on said plot containing 130,980 square feet, more or less, and bounded by and described as follows:

Plan 1092 Plot 2 (lots 39-51)

Beginning at a point on the northerly sideline of Liberty Park Avenue, so called, a Private Way, said point being also the northwesterly corner of the said private way, and said point being distant when measured in a westerly direction a distance of one thousand (1,000) feet, more or less, from an angle point on the said northerly sideline of Liberty Park Avenue, so called, a Private Way, said angle point being also the northeasterly corner of Liberty Park Avenue, so called, as laid out by the Board of Selectmen on April 28, 1975; thence running in a northerly direction along land of the Braintree Town Forest for a distance of two hundred twenty-one (221) feet, more or less, to a point; thence turning to the right and running in an easterly direction along land of the Braintree Town Forest for a distance of six hundred thirty-two (632) feet, more or less, to a point; thence turning to the right and running in a southerly direction for a distance of one hundred eighty-nine (189) feet, more or less, to a point on the said northerly sideline of Liberty Park Avenue, so called, a private way, thence turning to the right and running in a westerly direction along the said northerly sideline of Liberty Park Avenue for a distance of six hundred thirty (630) feet, more or less, to a point of beginning, containing in all an area of approximately 130,980 square feet, including lots no. 39 through 51 inclusive as shown on Assessors Plan no. 1092, plot no. 2.

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

Approved July 3, 1980.

Chap. 358. AN ACT VALIDATING ACTIONS TAKEN AT THE ANNUAL TOWN MEETING IN THE TOWN OF BRAINTREE ON MAY FIFTH, NINETEEN HUNDRED AND EIGHTY.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Braintree at its annual town meeting held on May fifth, nineteen hundred

and eighty, including the authorization of borrowing and all acts taken in pursuance thereof, are hereby ratified, validated and confirmed, notwithstanding any deficiencies in the publication of the warrant.

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

Approved July 3, 1980.

Chap. 359. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO BORROW MONEY FOR CERTAIN STREET RECONSTRUCTION IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seven of chapter forty-four of the General Laws to the contrary, the town of Weymouth for the purpose of certain street reconstruction in said town is hereby authorized to issue bonds in the principal amount of three million dollars which shall be payable within twenty years from their respective dates, in accordance with the votes of the town passed under articles thirty-five and thirty-six of the warrant for the annual town meeting of nineteen hundred and eighty. Except as provided herein, indebtedness incurred under this act shall be subject to the applicable provisions of said chapter forty-four.

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

Approved July 3, 1980.

Chap. 360. AN ACT EXEMPTING THE POSITION OF DIRECTOR OF VETERANS' AIDS AND SERVICES IN THE CITY OF MARLBOROUGH FROM CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and seventy-five of the acts of nineteen hundred and seventy-six is hereby repealed.

SECTION 1A. The position of director of the veterans and service department of the city of Marlborough 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 3, 1980.

Chap. 361. AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 519 of the acts of 1978, and inserting in place thereof the following section:-

Section 3. The commission shall consist of thirteen members, as follows: (a) the mayor or his designee, shall be the chairman and (b) twelve persons to be appointed by the said mayor, seven of whom shall be heads of organizations within the city relating to the fishing industry and four of whom shall be other persons residing in the city.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, as amended by section 2 of said chapter 519, and inserting in place thereof the following section:-

Section 3A. The mayor upon the recommendation of the commission may appoint an executive director who shall receive such compensation as may be determined by the mayor with the approval of the city council.

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

Approved July 3, 1980.

Chap. 362. AN ACT FURTHER REGULATING THE SALE OF CERTAIN SECURITIES.

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

Be it enacted, etc., as follows:

Chapter 110A of the General Laws is amended by inserting after section 407 the following section:-

Section 407A. (a) If the secretary determines after giving notice of and opportunity for a hearing, that any person has engaged in or is about to engage in, any act or practice constituting a violation of any provision of this chapter or any rule or order hereunder, he may order such person to cease and desist from such unlawful act or practice and take such affirmative action as in the judgment of said secretary will carry out the purposes of this chapter.

(b) If the secretary makes written findings of fact that the public interest will be irreparably harmed by delay in issuing an order under subsection (a), the secretary may issue a temporary cease and desist order. Upon the entry of a temporary cease and desist order, the secretary shall promptly notify in writing

the person subject to the order that such order has been entered, the reasons therefor, and that within twenty days after the receipt of a written request from such person the matter shall be set down for hearing to determine whether or not the order shall become permanent and final. If no hearing is requested and none is ordered by the secretary, the order shall remain in effect until it is modified or vacated by the secretary. If a hearing is requested or ordered, the secretary, after giving notice of and opportunity for a hearing to the person subject to the order, shall by written findings of fact and conclusions of law, vacate, modify, or make permanent the order.

(c) No order under this section, except an order issued pursuant to subsection (b), may be entered without prior notice of and opportunity for hearing. The secretary may vacate or modify an order under this section upon his finding that the conditions which required such an order have changed and that it is in the public interest to so vacate or modify.

An order issued pursuant to the provisions of this section shall be subject to review as provided in section four hundred and eleven.

Approved July 3, 1980.

Chap. 363. AN ACT EXEMPTING THE POSITIONS OF FIRE ALARM OPERATOR AND FIRE DISPATCHER IN THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AMD RULES.

Be it enacted, etc., as follows:

SECTION 1. The positions of fire alarm operator and fire dispatcher in the city of Marlborough shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 1A. The provisions of section one shall not impair the civil service status of any person holding the position of fire alarm operator or fire dispatcher in the city of Marlborough on the effective date of this act.

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

Approved July 3, 1980.

Chap. 364. AN ACT RELATIVE TO THE MEMBERSHIP OF THE PLUM ISLAND WATER DISTRICT.

Be it enacted, etc , as follows:

SECTION 1. Section 9 of chapter 73 of the acts of 1980 is

hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- 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, five persons, inhabitants of and voters in said district, to hold office, one at large until the expiration of three years, one from the town of Newbury until the expiration of two years, one from the city of Newburyport until the expiration of two years, and one from the town of Newbury until the expiration of one year, and one from the city of Newburyport 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.

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

Approved July 3, 1980.

Chap. 365. AN ACT RELATIVE TO ARTICLES OF CONSOLIDATION OR MERGER OF BUSINESS CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of subsection (d) of section 78 of chapter 156B of the General Laws, as amended by section 20 of chapter 392 of the acts of 1969, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- Unless such agreement to consolidate or merge is abandoned pursuant to provisions contained therein: (1) an original or attested copy thereof shall be kept in the commonwealth by the resulting or surviving corporation in one of the offices specified in section thirty-two for inspection by any of its stockholders or by any person who was a stockholder of any constituent corporation; (2) the resulting or surviving corporation shall furnish a copy of the agreement of consolidation or merger to any such stockholder or person upon written request and without charge; (3) articles of consolidation or merger shall be submitted to the state secretary which shall set forth the due adoption of an agreement of consolidation or merger in accordance with subsections (b) and (c) and shall state: (i) the names of the constituent corporations and the name of the resulting or surviving corporation; (ii) the effective date of the consolidation or

merger determined pursuant to the agreement of consolidation or merger; (iii) any amendment to the articles of organization of the surviving corporation to be effected pursuant to the agreement of merger; or the following information in respect of the resulting corporation:

(a) the purposes of the resulting corporation;

(b) the total number of shares and the par value, if any, of each class of stock which the resulting corporation is authorized to issue;

(c) if more than one class of stock is to be authorized, a description of each class, with the preferences, voting powers, qualifications, special or relative rights or privileges as to each class and any series thereof then established; and

(d) such other provisions as are permitted by section thirteen to be included in the articles of organization of a corporation and are contained in the agreement of consolidation; and (iv) that the resulting or surviving corporation will furnish a copy of the agreement of consolidation or merger to any of its stockholders or to any person who was a stockholder of any constituent corporation upon written request and without charge. Such articles of consolidation or merger shall be signed by the president or a vice president and the clerk or an assistant clerk of each constituent corporation, who shall state under the penalties of perjury that the agreement of consolidation or merger has been duly executed on behalf of such corporation and has been approved in the manner required by this section by the stockholders of such corporation or, if permitted under subsection (c), by the directors of such corporation.

SECTION 2. Subsection (c) of section 79 of said chapter 156B, as amended by section 21 of said chapter 392, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences:- Unless such agreement is abandoned pursuant to provisions contained therein: (1) an original or attested copy thereof shall be kept in the commonwealth by the resulting or surviving corporation in one of the offices specified in section thirty-two if the resulting or surviving corporation is to be a Massachusetts corporation, or if said corporation is to be governed by the laws of another state, wherever the records of meetings of its stockholders are required or permitted by such laws to be kept, and shall be made available at said location for inspection by any stockholder of the resulting or surviving corporation or any person who was a stockholder of any constituent corporation; (2) the resulting or surviving corporation shall furnish a copy of the agreement of consolidation or merger to any such stockholder or person upon written request and without charge;

(3) articles of consolidation or merger shall be submitted to the state secretary, which shall set forth the information required by clauses (i) to (iv), inclusive, of paragraph 3 of subsection (d) of section seventy-eight, and shall be signed by the president or a vice president and the clerk or an assistant clerk of each constituent corporation, or, in the case of a corporation organized under the laws of another state, by officers having corresponding powers and duties, who shall make affidavit or state under the penalties of perjury (i) in the case of each constituent corporation not organized under the laws of Massachusetts, that the agreement has been duly adopted under the laws of the state under which such constituent corporation is organized, and (ii) in the case of each constituent corporation organized under the laws of Massachusetts, that the agreement has been duly executed by the officers and has been approved in the manner required by section seventy-eight by the stockholders of such corporation or, if permitted under subsection (c) of section seventy-eight, by the directors of such corporation. If the resulting or surviving corporation is to be governed by the laws of Massachusetts, the form on which articles of consolidation or merger are filed shall contain the further information required by subsection (d) of section seventy-eight in the case of articles of consolidation or merger filed thereunder, which as set forth in said subsection (d) shall not for any purpose be treated as a permanent part of the articles of organization of the resulting or surviving corporation.

SECTION 3. Subsection (b) of section 82 of said chapter 156B, as amended by section 37 of chapter 685 of the acts of 1965, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following sentence:- Unless such merger is abandoned pursuant to the terms of the directors' vote adopted under subsection (a), articles of merger shall be submitted to the state secretary which shall set forth the vote of the directors, shall state the effective date of the merger, and if the parent corporation is organized under the laws of another state shall contain an agreement by such corporation that it may be sued in this commonwealth for any prior obligation of the Massachusetts corporation or corporations with which it has merged and any obligation thereafter incurred by the parent corporation, including the obligation created by subsection (e), so long as any liability remains outstanding against the parent corporation in this commonwealth, and it shall irrevocably appoint the state secretary as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the same manner as provided in chapter one hundred and eighty-one.

SECTION 4. Subsection (d) of section 83 of said chapter 156B, as amended by section 38A of said chapter 685, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following sentence:- Unless such agreement is abandoned pursuant to provisions contained therein: (1) an original or attested copy thereof shall be kept in the commonwealth by the corporation in one of the offices specified in section thirty-two for inspection by any stockholder of the corporation or any person who was an owner of a certificate of participation or shares of the association or trust; (2) the corporation shall furnish a copy of the agreement of merger to any stockholder of the corporation or any person who was an owner of a certificate of participation or shares of the association or trust, upon written request and without charge; and (3) articles of merger shall be submitted to the state secretary which shall state the name of the association or trust and the corporation, the effective date of the merger determined pursuant to the agreement of merger, and that the corporation will furnish a copy of the agreement of merger to any stockholder of the corporation or any person who was an owner of a certificate of participation or shares of the association or trust, upon written request and without charge; and shall be signed by the president or a vice president and the clerk or an assistant clerk of the corporation and by the persons authorized to execute such agreement for the association or trust, who shall state under the penalties of perjury that at least ninety per cent of the outstanding certificates of participation or shares of each class of the association or trust are owned by the corporation, or that at least ninety per cent of the outstanding shares of each class of stock of the corporation are owned by the association or trust, and that the agreement was duly approved by the corporation and by the association or the trust pursuant to the provisions of this section.

Approved July 3, 1980.

Chap. 366. AN ACT FURTHER LIMITING THE LIABILITY OF A CITY, TOWN, DISTRICT OR REGIONAL SCHOOL DISTRICT OFFICER FOR CERTAIN LOSSES.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 55A, as most recently amended by chapter 83 of the acts of 1978, and inserting in place thereof the following section:-

Section 55A. A city, town, district or regional school district officer receiving public money and lawfully and in good faith and in the exercise of due care depositing the same in a savings bank or trust company organized under the laws of the commonwealth, on paid-up shares and accounts of and in cooperative banks, a banking company organized under the laws of the commonwealth which is a member of the Federal Deposit Insurance Corporation, or in a national bank doing business in the commonwealth or in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine, or, in the case of the city of Boston, in accordance with the provisions of section fifty-five in a national bank or trust company in the city of New York, or in good faith and in the exercise of due care purchasing share accounts of a federal savings and loan association located in the commonwealth, shall not be personally liable to the city, town, district or regional school district for any loss of such money by reason of the closing up of such depository or federal and loan association for the liquidation of its affairs.

Approved July 3, 1980.

Chap. 367. AN ACT PROVIDING UNIFORM SURPLUS REQUIREMENTS FOR SAVINGS BANKS AND PROVIDING FOR THE COMPUTATION AND PAYMENT OF DIVIDENDS ON DEPOSITS.

Be it enacted, etc., as follows:

SECTION 1. Section 3A of chapter 43 of the acts of 1934 is hereby amended by striking out clause (d), as appearing in section 1 of chapter 125 of the acts of 1938, and inserting in place thereof the following clause:-

(d) pay into the surplus accounts of such bank in accordance with an agreement entered into between such bank and the corporation, with the approval of the commissioner, an amount not in excess of the difference between the book value of certain or all its assets and the fair value thereof as determined by said agreement, such bank being hereby authorized and empowered, notwithstanding any other provision of law, to repay such amount to the corporation at such time or times and in such manner as such agreement may prescribe; provided, that any such payment made by the corporation to such bank, and any agreement of such bank to repay the same, shall constitute liabilities of such bank only to the extent provided by said agreement.

SECTION 1A. Section 1 of chapter 168 of the General Laws, as amended by section 1 of chapter 169 of the acts of 1962, is hereby further amended by inserting after the definition of "Dividends" or "interest" the following definition:-

"Guaranty fund, surplus, unallocated reserves and undivided profits", the surplus accounts required to be established and maintained by section fifty-seven.

SECTION 2. Paragraph 3 of section 47 of said chapter 168, as most recently amended by section 1 of chapter 218 of the acts of 1969, is hereby further amended by striking out clauses (a) and (b) and inserting in place thereof the following clauses:-

(a) Aggregate Investment. - No such corporation shall invest additional funds in stocks of such companies or associations (a) if the cost thereof added to the amount already invested in such stocks and in fire insurance stocks referred to in section forty-eight shall exceed sixty-six and two-thirds per cent of the total of the surplus accounts of such corporation, referred to in section fifty-seven, appearing immediately following the payment or provision for payment of its next preceding dividend or (b) if the cost thereof added to the amount already invested in stocks and in shares of beneficial interest of the Savings Bank Investment Fund shall exceed the total of such surplus accounts.

(b) Investment Limit in One Company. - No such corporation shall invest additional funds in the stock of any one such company or association if the cost thereof added to the amount already invested in its stock shall exceed one-fifteenth of the total of said surplus accounts of such corporation, as so appearing.

SECTION 3. Section 48 of said chapter 168 is hereby amended by striking out paragraph 7, as most recently amended by chapter 109 of the acts of 1977, and inserting in place thereof the following paragraph:-

7. Other Limitations. - The following additional limitations also shall apply to stocks of insurance companies:-

(a) Preferred Stock, etc. - Such company shall have no preferred stock or other senior securities outstanding at the date of investment.

(b) Aggregate Investment Limit. - No insurance stock shall be purchased (a) if the cost thereof added to the cost of insurance stocks and bank stocks already owned shall exceed sixty-six and two-thirds per cent of the total of the surplus accounts of such corporation, referred to in section fifty-seven, appearing as provided in paragraph 3 (a) of section forty-seven or (b) if the cost thereof added to the amount already invested in stocks and in shares of beneficial interest of the Savings Bank Investment Fund shall exceed the total of such surplus accounts.

(c) Investment Limit in One Company. - No investment shall be made in the stock of any one insurance company if the cost thereof added to the amount already invested in its stock shall exceed one-fifteenth of the total of said surplus accounts of such corporation, as so appearing.

SECTION 4. Section 49 of said chapter 168 is hereby amended by striking out paragraphs 1 and 1A and inserting in place thereof the following two paragraphs:-

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 surplus accounts of such corporation, referred to in section fifty-seven, appearing as provided in paragraph 3 (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 surplus accounts, 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.

1A. Preferred and Common Stocks. - Preferred and common stocks of any company described in section forty-five or section forty-six, an obligation of which can qualify for investment under said sections; provided, that in at least four of the five years immediately preceding the date of investment such company shall have earned and paid dividends on each class of outstanding stock and the after tax net operating income, as hereinafter defined, of such company shall have been not less than twice the sum of the amount necessary to pay the interest for the same periods, excluding interest charged to fixed assets during construction thereof, if any, on all of its outstanding indebtedness and of the amount required to pay dividends on all of its preferred stock, if any. As used in this paragraph the words "after tax net operating income" shall mean the amount available for payment of interest and dividend charges after deduction from total operating revenues of all operating expenses, including current maintenance, provision for depreciation, all taxes including federal income taxes, rentals and guaranteed interest or dividends. No such corporation shall invest in such preferred or common stocks (a) if the cost thereof added to the cost of such preferred or common stocks, as the case may be already owned shall exceed thirty-five per cent of the total of the surplus accounts of such corporation referred to in section fifty-seven appearing as provided in paragraph 3 (a) of section forty-seven or (b) if the cost thereof added to the amount already invested in stocks and in shares of the Savings Bank Investment Fund of a class representing a beneficial interest in

any distinct investment fund consisting in whole or in part of equity securities shall exceed the total of such surplus accounts; and provided that no such corporation shall invest more than one-half of one per cent of its deposits in the stock of any one such company.

SECTION 5. Section 53 of said chapter 168 is hereby amended by striking out paragraph 1, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph:-

1. Amount Authorized. - The aggregate amount invested in such real estate, including the cost of land and of the erection or preparation of buildings and parking facilities, and including the cost of alterations and improvements in and additions to such land and buildings whether owned or leased, shall not exceed an amount equivalent to twenty-five per cent of the combined total of its surplus accounts appearing as provided in paragraph 3 (a) of section forty-seven; provided, that the amount authorized to be so invested, including sums invested under any special law, shall from time to time be increased by all sums realized by such corporation from the sale or other disposition of the whole or any part of such real estate and, to the extent approved by the commissioner, by all sums charged off for depreciation, obsolescence or amortization. The aggregate amount authorized to be invested by this section shall be deemed to include all sums authorized and expended under any special law enacted prior to January first, nineteen hundred and fifty-five.

SECTION 6. Said chapter 168 is hereby further amended by striking out section 57, as so appearing, and inserting in place thereof the following section:-

Section 57. Such corporation shall establish and maintain such surplus accounts as may be determined by the trustees of such corporation to be reasonable and prudent to transact the business for which the corporation is organized. Such surplus accounts may be used to meet losses, contingencies and adjustments arising out of or incidental to the operation of its business and for such other purposes as the trustees from time to time may determine. As used in this chapter, the term "surplus" shall mean and include profit and loss, undivided profits and surplus accounts.

The trustees shall, as of the close of its fiscal year, transfer from profit and loss or undivided profits to a specially designated surplus account, a sum equal to one-quarter of one per cent of the whole amount of deposits. Such surplus account shall be maintained by the corporation and be available for general use in any manner determined by the trustees upon depletion of the other surplus accounts. The amount required to be transferred to such specially designated surplus account shall constitute and be considered a required minimum addition to surplus for purposes of section eleven of chapter sixty-three.

Such corporation shall notify the commissioner by written notice in the event that the net income listed in the annual report required under section sixty-five indicates a deficit. Such notification shall be transmitted as soon as possible after the annual report is completed, describing in summary form the circumstances surrounding any such deficit.

SECTION 7. Section fifty-eight of said chapter one hundred and sixty-eight is hereby repealed.

SECTION 8. Said chapter 168 is hereby further amended by striking out section 59, as amended by section 1 of chapter 224 of the acts of 1968, and inserting in place thereof the following section:-

Section 59. Before the declaration of any dividends as provided in sections sixty, sixty A, and sixty B, the auditing committee, referred to in section sixteen, shall report to the trustees the actual or estimated surplus at the beginning of the accounting period, the estimated income, expenses, gains, losses, and taxes for such period, the estimated dividends to be paid and the estimated surplus remaining at the end of such period. A copy of such report shall be filed and preserved with the records of the corporation. All dividends must be authorized and declared by the trustees.

SECTION 9. Said chapter 168 is hereby further amended by striking out section 60, as most recently amended by section 1 of chapter 124 of the acts of 1970, and inserting in place thereof the following section:-

Section 60. The payment of ordinary dividends shall be subject to the conditions, limitations and requirements of this section.

1. Dividend Period. - An ordinary dividend shall be authorized and declared by the trustees at least every six months, for such periods as shall be provided by the by-laws. In the event that such corporation at any time changes its dividend periods, an ordinary dividend may be authorized and declared for such time as may be necessary to effect an adjustment in dividends to the new periods. Ordinary dividends shall be declared, not more than four months before the date payable as shown by the report required by section fifty-nine, after making such provisions as the trustees shall determine pursuant to their election made in accordance with subparagraph (e) of paragraph 1 of section twenty-two B, to credit to systematic savings account deposits or to reserve, subject to the approval of the commissioner, the bonus dividends on such deposits.

2. Rate and Computation. - Ordinary dividends shall be at such rate as the trustees shall determine and, if not withdrawn, shall be treated as deposits in computing any dividends thereafter paid. If the by-laws or regulations so provide, such dividends may be declared (a) upon deposits of one, two, three,

four or five months standing at the end of each dividend period; provided, however, that in such case, if the by-laws or regulations of the corporation so provide, a deposit made on or before the ninth day after the day on which deposits begin to draw dividends or interest, or if such ninth day be a Saturday, Sunday or legal holiday on or before the next business day succeeding such ninth day, and remaining on deposit through the balance of the monthly period may be construed as having been on deposit one full month within the meaning of this section, or (b) from the date of deposit to the end of the dividend period on sums which are on deposit at the end of the dividend period, or (c) from the date of deposit to the date of withdrawal on sums withdrawn before the end of the dividend period, so long as the account in which such sums were on deposit shall remain open until the end of the dividend period with a balance of at least ten dollars, and from the date of deposit to the end of the dividend period on all sums remaining on deposit at the end of each dividend period. If the by-laws and regulations so provide, and if ordinary dividends are declared on deposits as provided in either of clauses (a) and (b) of this paragraph, any of the deposits authorized by sections twenty-one and twenty-two may be received in a separate class of account on which dividends shall be declared at the time when and for the same dividend period as that for which any ordinary dividend is declared and at a rate which shall be at least one-eighth of one per cent per annum less than that declared for any ordinary dividend. Dividends on any such class of account shall be payable at the end of the dividend period on deposits as provided in clause (c) of this paragraph. Such dividends shall be treated as ordinary dividends for all other purposes of this chapter. If the by-laws and regulations so provide, dividends declared as provided in this section and in sections sixty A and sixty-one may be computed as if such dividends had been declared and paid at uniform intervals, daily or otherwise, within the dividend period and the amount so paid for each such interval had been added to deposits for the succeeding interval.

3. Minimum Deposits. - Such corporation, by its by-laws, may provide that fractional parts of a dollar shall not be included in principal in computing dividends, and may provide that a dividend shall not be declared or paid on deposits of less than ten dollars; but dividends for each full dollar shall be paid on school savings deposit accounts having balances of three dollars or more.

SECTION 10. Said chapter 168 is hereby further amended by striking out section 60A, as most recently amended by section 2 of said chapter 124, and inserting in place thereof the following section:-

Section 60A. The payment of additional dividends on special notice account deposits and the crediting and payment of bonus dividends on systematic savings account deposits shall be subject to the conditions, limitations and requirements of this section.

1. Dividend Period. - An additional dividend on special notice account deposits shall be authorized and declared by the trustees at the same time and for the same periods as and for which ordinary dividends are declared. Additional dividends on special notice account deposits shall be declared as shown by the report required by section fifty-nine, after making such provisions as the trustees shall determine, pursuant to their election made in accordance with subparagraph (e) of paragraph 1 of section twenty-two B, to credit to systematic savings account deposits or to reserve, subject to the approval of the commissioner, for the payment of bonus dividends on such deposits. Bonus dividends on systematic savings account deposits shall, in accordance with such election, be credited thereto either on each of the dates fixed for ordinary dividends payments or when such bonus dividends become payable under the provisions of the applicable systematic savings account agreements and shall be paid from the sum or sums so credited or from the reserve therefor.

2. Rate and Computation. - Additional dividends on special notice account deposits shall be at such rate, not less than one-eighth of one per cent per annum nor more than the maximum established by the appropriate federal supervisory agency, as the trustees shall determine. Bonus dividends on systematic savings account deposits shall be at the rate specified in the applicable systematic savings account agreement. If not withdrawn, additional dividends on special notice account deposits shall be treated as deposits added to the account upon which declared and, in computing the dividend next following, shall be considered as having been on deposit for the preceding dividend period. Bonus dividends on systematic savings account deposits, to the extent that they become payable and subject to withdrawal, shall be treated as deposits added to the account upon which paid and, in computing the dividend next following, shall be considered as having been on deposit since the date upon which such bonus dividends became payable. If the by-laws and regulations so provide, additional dividends may be declared on special notice account deposits as provided with respect to ordinary dividends in any of clauses (a), (b) and (c) of paragraph 2 of section sixty. Bonus dividends on systematic savings account deposits shall be computed as specified in the applicable systematic savings account agreement.

SECTION 11. Section sixty-one of said chapter one hundred and sixty-eight is hereby repealed.

SECTION 12. Section 72 of said chapter 168 is hereby amended by striking out the last paragraph, as amended by chapter 106 of the acts of 1958, and inserting in place thereof the following paragraph:-

Any merger or consolidation may be approved and effected pursuant to this section, notwithstanding that the percentage which the aggregate value of the surplus accounts as defined in section fifty-seven, and other surplus accounts, of any of the consolidating corporations, bears to its liabilities, exceeds such percentage of any of the other consolidating corporations, and any consolidating corporation having such an excess of percentage shall not be required to pay an extra dividend or make any other distribution to its depositors.

SECTION 13. Upon the effective date of this act, the guaranty funds of all savings banks shall be consolidated and become a part of the surplus accounts of such savings banks; provided, however that such consolidation and merger into the surplus accounts shall not be considered minimum additions to surplus for purposes of section eleven of chapter sixty-three. Within the year of the effective date of this act, the maximum amount which may be declared by a savings bank as a required minimum addition to its guaranty fund and surplus for the purposes of said section eleven, shall not exceed an amount equal to one-fourth of one per cent of its deposits.

Approved July 3, 1980.

EMERGENCY LETTER - August 20, 1980 @ 3:39 P.M.

Chap. 368. AN ACT AUTHORIZING THE EXEMPTION OF THE PUBLIC HIGH SCHOOL OF THE TOWN OF MILFORD FROM CERTAIN REGULATIONS PROMULGATED BY THE DEPARTMENT OF EDUCATION.

Be it enacted, etc., as follows:

Upon application of the town of Milford, the department of education is hereby authorized and directed to exempt the public high school of said town from the applicability of the provisions of administrative regulations 603 CMR: 4:11 Methods of Instruction, relative to certain hourly constraints and to reinstitute, without affecting eligibility reimbursements under chapter seventy-four of the General Laws, the approval granted said town on May twenty-fifth, nineteen hundred and seventy-one by the division of occupational education with the approbation of the commissioner of education.

Approved July 3, 1980.

Chap. 369. AN ACT AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO TRANSFER CERTAIN PUBLIC LANDS IN THE TOWN OF SUTTON TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section one of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended by chapter six hundred and fifty-seven of the acts of nineteen hundred and fifty-seven, the department of environmental management is hereby authorized to transfer the care, custody and control of any portion or all of the public lands hereinafter described, or to the department of public works, and that the said department of public works is hereby authorized to divert said lands from their present public uses to highway uses, as hereinafter provided.

Said public lands to be so transferred consist of three parcels and are shown on a map entitled "Land Transfers from the Commonwealth of Massachusetts Department of Environmental Management Sutton State Forest to the Commonwealth of Massachusetts Department of Public Works for the Reconstruction of Route 146, Sutton, Massachusetts" which map said department of public works is hereby directed to file with the office of the chief engineer of the said department, and which parcels are bounded and described as follows:-

Parcel 2-19

An irregular parcel of land supposed to be owned by the Commonwealth of Massachusetts, under the care, custody and control of the department of environmental management adjoining the westerly line of the May 16, 1941 State Highway Layout of Route 146, so-called, and being more fully described as follows:-

Beginning at a point on said line of Route 146, extending thence, along said line of highway south 44°55'31" east, 259 feet to a point; thence turning and running south 23°41'31" west, 61 feet to a point; thence turning and running north 47°47'38" west, 315 feet to a point; thence leaving said line of highway and running north 44°22'54" west, 14 feet to a point; thence turning and running along the common property line with land supposed to be owned by Josephine D. & Theodore Amour, 41 feet to the point of beginning, containing 0.2 acres of land more or less.

Parcel 2-21

An irregular parcel of land supposed to be owned by the Commonwealth of Massachusetts, under the care, custody and control of the department of environmental management adjoining the westerly line of the May 16, 1941 State Highway Layout of Route 146, so-called, and being more fully described as follows:-

Beginning at a point on said line of Route 146, extending thence, leaving said line of highway and running south 57°34'32" east, 1004.45 feet to a point; thence turning and running south 57°04'17" east, 1109.03 feet to a point on said line of highway; thence running along said line of highway by a curve to left of 2149.83 radius, 194.14 feet to a point; thence turning and running north 62°14'44" west, 998.91 feet to a point; thence running by a curve to the right of 2350.30 feet radius, 710.48 feet to a point; thence turning and running north 44°55'31" west, 223.24 feet to the point of beginning, containing 2.85 acres of land more or less.

Parcel 2-22

An irregular parcel of land supposed to be owned by the Commonwealth of Massachusetts, under the care, custody and control of the department of environmental management adjoining the easterly line of the May 16, 1941 State Highway Layout of Route 146, so-called, and being more fully described as follows:-

Beginning at a point on said line of Route 146, extending thence along said line of highway south 09°42'46" east, 130 feet to a point; thence turning and running along the common property line with land supposed to be owned by "Owner Unknown", 51 feet, to a point; thence turning and running north 10°59'13" east, 140 feet to the point of beginning, containing 3250 square feet of land more or less.

The above-described three parcels are under the care, custody and control of the department of environmental management, they are vacant land being a part of the Sutton state forest and is to be used by the department of public works for the reconstruction of state highway route 146, a highway purpose.

Approved July 3, 1980.

Chap. 370. AN ACT RELATIVE TO THE LICENSING OF CERTAIN SPECIAL SERVICE PASSENGER VEHICLES BY THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

The second paragraph of section 11A of chapter 159A of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 537 of the acts of 1965, and inserting in place thereof the following sentence:- "Special service" is hereby defined as the transportation by motor vehicle over a route other than one certified to the applicant under section seven, for any special purpose, event or occasion or series of events or occasions, or under contract to a business establishment or for the transportation of employees to a place of employment, of a number of passengers to whom the carrier

itself, or some person in its behalf, has sold or intends to sell tickets for transportation service, whether such tickets are for transportation alone or are in the form of combination tickets.

Approved July 3, 1980.

Chap. 371. AN ACT AUTHORIZING THE TOWN OF SHARON TO APPROPRIATE AND EXPEND FUNDS TO CONSTRUCT A DRAINAGE SYSTEM FOR DRY POND.

Be it enacted, etc., as follows:

The town of Sharon is hereby authorized to appropriate and expend funds for the purpose of constructing and maintaining a drainage system limited to the Dry Pond watershed as referred in the hydrologic and hydraulic study by C.E. Maguire, Inc., and shall not include construction in the Amesbrook watershed to provide an outlet for Dry Pond extending outside the geographical limits of the town, said drainage system to be located in Bay road in the town of Stoughton.

Approved July 3, 1980.

Chap. 372. AN ACT RELATIVE TO COST OF LIVING SUPPLEMENTS FOR CERTAIN RETIRED EMPLOYEES OF SAVINGS AND CO-OPERATIVE BANKS AND THEIR BENEFICIARIES.

Be it enacted, etc., as follows:

SECTION 1. Section 74 of chapter 168 of the General Laws is hereby amended by striking out the seventh paragraph, inserted by chapter 235 of the acts of 1969, and inserting in place thereof the following paragraph:-

In any calendar year a bank, by vote of its board of trustees, may directly supplement the retirement benefits being paid to its former employees or their beneficiaries on account of bank service, subject to the following three conditions: first, no supplement of a retirement benefit shall exceed the retirement benefit multiplied by the increase in the cost of living since the retirement benefit began; second, for this purpose, only so much of the retirement benefit shall be taken into account as does not exceed twenty thousand dollars; and third, if the retirement benefits being paid the bank's former employees or their beneficiaries are not all supplemented by the maximum amounts permitted by the foregoing conditions, or by the same percentage of such maximum amounts, the percentage of the maximum paid by the bank with respect to any retirement benefit cannot be greater than the percentage paid with respect to the next smaller retirement benefit but may be reduced to not less than

one-half the percentage paid with respect to the smallest retirement benefit. The increase in the cost of living is the percentage by which the national monthly consumer price index for all urban consumers issued by the bureau of labor statistics of the United States Department of Labor for the last November before the year in which payment is made is greater than the beginning index figure. The beginning index figure is the average of such monthly consumer price index figures for the year in which a retirement benefit was first paid to or with respect to a former employee. No bank may become obligated to pay in future years any supplement authorized by this paragraph.

SECTION 2. Section 51 of chapter 170 of the General Laws is hereby amended by striking out the seventh paragraph, inserted by chapter 121 of the acts of 1970, and inserting in place thereof the following paragraph:-

In any calendar year, a bank, by vote of its board of directors, may directly supplement the retirement benefits being paid to its former employees or their beneficiaries on account of bank service, subject to the following three conditions: first, no supplement of a retirement benefit shall exceed the retirement benefit multiplied by the increase in the cost of living since the retirement benefit began; second, for this purpose, only so much of the retirement benefit shall be taken into account as does not exceed twenty thousand dollars; and third, if the retirement benefits being paid the bank's former employees or their beneficiaries are not all supplemented by the maximum amounts permitted by the foregoing conditions, or by the same percentage of such maximum amounts, the percentage of the maximum paid by the bank with respect to any retirement benefit cannot be greater than the percentage paid with respect to the next smaller retirement benefit but may be reduced to not less than one-half the percentage paid with respect to the smallest retirement benefit. The increase in the cost of living is the percentage by which the national monthly consumer price index figure for all urban consumers issued by the bureau of labor statistics of the United States Department of Labor for the last November before the year in which payment is made is greater than the beginning index figure. The beginning index figure is the average of such monthly consumer price index figures for the year in which a retirement benefit was first paid to or with respect to a former employee. No bank may become obligated to pay in future years any supplement authorized by this paragraph.

Approved July 3, 1980.

Chap. 373. AN ACT AUTHORIZING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE 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 eighty-one the sums set forth in this act for the care, maintenance and repair of the county hospital and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

PLYMOUTH COUNTY.

Item		
1.	For personal services	$1,971,543 14
2.	For contractual services	240,600 00
3.	For supplies and materials	505,000 00
4.	For current charges and obligations	270,993 00
5.	For equipment	26,119 00
8.	For debt and interest	10,000 00
11.	For reserve fund	30,000 00
12.	For group insurance	205,000 00
	For total expenditures	$3,259,255 14

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 3, 1980.

Chap. 374. AN ACT RELATIVE TO THE PRACTICE OF MEDICINE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 53A the following section:-

Section 53B. Any person licensed under section fifty-one or section forty-four of chapter one hundred and twenty-three shall report to the board of registration in medicine when the licensee restricts, or revokes, or fails to renew staff privileges, or accepts the resignation of, any physician registered with the board as qualified to practice medicine in the commonwealth for any reason related to the registrant's competence to practice medicine. The report shall be filed within thirty days of the occurrence of the reportable action and include a statement detailing the nature and circumstances of the action, its date, and the reasons for it. All information contained in a report filed under this section shall be confidential, and the board may

disclose it only if doing so is necessary to enable the board to use the information in a disciplinary proceeding against the registrant. Any person reporting information to the board under this section shall not be civilly liable for reporting such information if made and filed in good faith and without malice.

SECTION 2. Section 12B of chapter 112 of the General Laws, as most recently amended by chapter 343 of the acts of 1969, is hereby further amended by inserting after the word "two A", in line 2, the words:- nine, nine A, and nine B.

Approved July 3, 1980.

Chap. 375. AN ACT RELATIVE TO DEPOSITS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 16 of chapter 170 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 232 of the acts of 1978, and inserting in place thereof the following paragraph:-

Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually and no two or more persons, as provided in section fifteen, shall hold more than six hundred serial shares and more than the combined total of four thousand paid-up and savings shares in the denomination of one hundred dollars nor more than three hundred serial shares and more than the combined total of two thousand paid-up and savings shares in the denomination of two hundred dollars. Each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons shall not exceed in the denomination of one hundred dollars six hundred serial shares and the combined total of four thousand paid-up and savings shares, or in the denominations of two hundred dollars three hundred serial shares and the combined total of two thousand paid-up and savings shares. Of the shares which are permitted to be held as aforesaid, other than serial shares, no person individually shall hold in one corporation, at the same time, more than a combined total of eighteen hundred paid-up and saving shares in the denomination of one hundred dollars other than term deposit account savings shares issued pursuant to a term deposit account plan approved by the commissioner pursuant to subsection three B of section thirteen, nor more than the combined total of nine hundred paid-up and savings shares in the denomination of two hundred dollars other than term deposit account savings shares. No two or more persons, as provided in section fifteen, shall hold more than the combined

total of three thousand six hundred paid-up and savings shares in the denomination of one hundred dollars other than term deposit account savings shares, nor more than the combined total of eighteen hundred paid-up and savings shares in the denomination of two hundred dollars other than term deposit account savings shares. Each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons shall not exceed in the denomination of one hundred dollars the combined total of three thousand six hundred paid-up and savings shares other than term deposit account savings shares, or in the denomination of two hundred dollars the combined total of eighteen hundred paid-up and savings shares other than term deposit account savings shares. Said limitations upon individual holdings shall apply to shares held by more than one fiduciary in the same estate and to shares held for each estate where the same person is fiduciary in two or more distinct estates.

Approved July 3, 1980.

Chap. 376. AN ACT ALLOWING THE TOWN OF DANVERS TO ESTABLISH CERTAIN CLAIM FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law to the contrary, the town of Danvers may, by vote at a town meeting, establish and maintain a claims fund from which may be paid claims against said town for injury or loss of property or personal injury or death for which said town may be liable. Said town by a vote at a town meeting, may appropriate for such fund an amount not exceeding in any one year one-twentieth of one per cent of its equalized valuation. Such fund shall be managed and administered by the commissioners of trust funds of said town. Said town may appropriate from such fund, including the income thereof, such sums as may be necessary for the purpose of paying a proper charge for insurance to cover such liabilities.

SECTION 2. The town may, by vote of its town meeting, combine the assets of the fund established pursuant to this section and the funds set aside pursuant to sections thirteen and thirteen A of chapter forty of the General Laws and such resulting fund may be used for all purposes set forth in said sections thirteen and thirteen A; provided, however, that no monies from the combined fund shall be used to restore municipal buildings damaged or destroyed by fire. The town by vote of its town meeting may establish regulations and guidelines concerning disbursement from the combined fund.

Approved July 3, 1980.

Chap. 377. AN ACT PROVIDING FOR REMOVAL ELECTIONS IN THE TOWN OF TISBURY.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of Tisbury may be recalled and removed therefrom by the qualified voters of the town as herein provided.

SECTION 2. Any five qualified voters of the town may make and file with the town clerk an affidavit containing the name of the officer sought to be removed and a statement of the grounds of removal. The town clerk shall thereupon deliver to said voters making such affidavit a sufficient number of copies of petition blanks for such recall and removal. Said blanks shall be issued by the town clerk with his signature and official seal attached thereto; and shall be dated and addressed to the selectmen. Said blanks shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be removed, the office from which removal is sought, the grounds of removal as stated in said affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. Said recall petition shall be returned and filed with the town clerk within thirty days after the filing of the affidavit. Said petition before being returned and filed shall be signed by ten per cent of the qualified voters, and to every such signature shall be added the place of residence of the signer, giving the street and number. The recall petition shall be submitted, at or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed, to the registrars of voters in the town, and the registrars shall forthwith certify thereon the number of signatures which are names of voters of the town.

SECTION 3. If the petition shall be found and certified by the town clerk to be sufficient, he shall submit the same with his certificate to the selectmen without delay, and the selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order a removal election to be held on a Tuesday fixed by them not less than twenty-five nor more than thirty-five days after the date of the town clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within sixty days after the date of said certificate, the selectmen may, in their discretion, postpone the holding of the removal election to the date of such other election. If a vacancy occurs in said office after a removal election has been so ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer sought to be removed may be a candidate to succeed himself and, unless he requests otherwise in writing, the town clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for the removal election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

A majority of those voting at the recall election shall be sufficient to recall such elected officer.

SECTION 5. The incumbent shall continue to perform the duties of his office until the removal election. If then re-elected, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in section seven. If not re-elected in the removal election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

SECTION 6. Ballots used in a removal election shall submit the following propositions in the order indicated:

For the removal of (name of officer)

Against the removal of (name of officer)

Immediately at the right of each proposition there shall be a square in which the voter, by making a cross mark (X) may vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote for one" and beneath this the names of candidates nominated as hereinbefore provided.

If a majority of the votes cast on the recall question is in the affirmative, then the candidate that received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of the votes on the question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted.

SECTION 7. No removal petition shall be filed against an officer within three months after he takes office, nor in the case of an officer subjected to a removal election and not removed thereby, until at least three months after that election.

SECTION 8. No person who has been removed from an office by a removal election, or who has resigned from office while removal proceedings were pending against him, shall be appointed to any town office within two years after such removal by a removal election or such resignation.

SECTION 9. This act shall be submitted for acceptance to the voters of the town of Tisbury 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 on the official ballot at such election:- "Shall an act passed by the General Court in the year nineteen hundred and eighty entitled 'An Act providing for removal elections in the town of Tisbury', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect, but not otherwise.

Approved July 3, 1980.

Chap. 378. AN ACT FURTHER REGULATING CERTAIN AGRICULTURAL LAND USE.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 20 of the General Laws, as appearing in section 2 of chapter 654 of the acts of 1974, is hereby amended by inserting after the definition of "Agriculture" and "farming" the following definition:-

"Arbor", an area of land devoted to the propagation and cultivation of fruitbearing trees and shrubs, and nut trees.

SECTION 2. Section 14 of said chapter 20, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Any person may make application to the division on a form to be furnished by the director for a permit to use vacant public land for garden, arbor, or farm purposes.

SECTION 3. Said section 14 of said chapter 20, as so appearing, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:- Any person who is granted the use of garden, arbor or farm land shall indemnify and save harmless the commonwealth, the department of agriculture and all of its officers, agents and employees against suits and claims of liability of each name and nature arising out of, or in consequence of the use of vacant public land.

SECTION 4. Said chapter 20 is hereby further amended by striking out section 15, as so appearing, and inserting in place thereof the following section:-

Section 15. Priority in the allotment of vacant public land for garden and arbor purposes shall be given to elderly persons of low income, families of low income and children between the ages of seven and sixteen, inclusive. Products grown in gardens and arbors shall not be sold.

Approved July 3, 1980.

Chap. 379. AN ACT PROVIDING FOR NOTIFICATION OF VOTER IF ABSENTEE BALLOT IS REJECTED AS DEFECTIVE.

Be it enacted, etc., as follows:

Section 94 of chapter 54 of the General Laws, as most recently amended by section 5 of chapter 123 of the acts of 1966, is hereby further amended by adding the following two sentences:- Said clerk shall notify, as soon as possible prior to the election, each voter whose ballot was rejected that such ballot has been rejected. Said notice shall be on a form provided by the clerk and worded substantially as follows:

"Your absentee ballot for the election of _____ (date) has been rejected as defective for the following reason:

Voter's signature omitted _____
Signature not that of voter _____
Notarization omitted _____
Notarized by candidate _____
Other _____
(Reason)

_____
(City or Town)

_____
Clerk

Approved July 3, 1980.
EMERGENCY LETTER - August 8, 1980 @ 4:30 P.M.

Chap. 380. AN ACT DESIGNATING THE WASHINGTON AVENUE BRIDGE IN THE TOWN OF NATICK AS THE EDWARD R. TADDEO BRIDGE.

Be it enacted, etc., as follows:

The bridge carrying Washington avenue over the tracks of the Massachusetts Bay Transportation Authority in the town of Natick shall be designated and known as the Edward R. Taddeo Memorial bridge, in memory of Edward R. Taddeo who served for twenty-seven years as health director for the Natick board of health. Suitable markers bearing said designation shall be attached thereto by the department of public works and as authorized by the federal highway administration.

Approved July 3, 1980.

Chap. 381. AN ACT DESIGNATING THE BRIDGE ON MERRIAM AVENUE OVER ROUTE 2 IN THE CITY OF FITCHBURG AS THE PETER J. LEVANTI BRIDGE.

Be it enacted, etc., as follows:

The bridge on Merriam avenue over state highway Route 2 located at the boundary line of the cities of Fitchburg and

Leominster shall be designated and known as the Peter J. Levanti Bridge, in honor of Peter Levanti of the city of Fitchburg, a former city councilor, mayor, and state representative from 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 July 3, 1980.

Chap. 382. AN ACT DESIGNATING A CERTAIN CIRCLE AND INTERSECTION IN THE CITY OF REVERE AS THE TIMOTHY J. MAHONEY MEMORIAL CIRCLE.

Be it enacted, etc., as follows:

The traffic circle and intersection of state highway routes 1A, 16 and 60 at Beach street in the city of Revere shall be designated and known as the Timothy J. Mahoney Memorial Circle. The department of public works shall attach a suitable marker bearing said designation in compliance with the standards of said department and as authorized by the federal highway administration.

Approved July 3, 1980.

Chap. 383. AN ACT FURTHER REGULATING THE TAKING OF BLOOD FOR CHEMICAL TESTS AND ANALYSES DESIGNED TO MEASURE WHETHER PERSONS WERE OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (1) of section 24 of chapter 90 of the General Laws is hereby amended by striking out paragraph (e), as most recently amended by chapter 425 of the acts of 1974, and inserting in place thereof the following paragraph:-

(e) In any prosecution for a violation of paragraph (a) of this subdivision, evidence of the percentage, by weight, of alcohol in the defendent's blood at the time of the alleged offense, as shown by chemical test or analysis of his blood or as indicated by chemical test or analysis of his breath, shall be admissible and deemed relevant to the determination of the question of whether such defendant was at such time under the influence of intoxicating liquor; provided, however, that if such test or analysis was made by or at the direction of a police officer, it was made with the consent of the defendant, the

results thereof were made available to him upon his request, and the defendant was afforded a reasonable opportunity, at his request and at his expense, to have another such test or analysis made by a person or physician selected by him; and provided, further, that blood shall not be withdrawn from any party for the purpose of such test or analysis except by a physician, registered nurse or certified medical technician. Evidence that the defendant failed or refused to consent to such test or analysis shall not be admissible against him in a civil or criminal proceeding, but shall be admissible in any action by the registrar under paragraph (f). If such evidence is that such percentage was five one-hundredths or less, there shall be a presumption that such defendant was not under the influence of intoxicating liquor, and he shall be released from custody forthwith, but the officer who placed him under arrest shall not be liable for false arrest, if such police officer had reasonable grounds to believe that the person arrested had been operating a motor vehicle upon any such way or place while under the influence of intoxicating liquor; if such evidence is that such percentage was more than five one-hundredths but less than ten one-hundredths, there shall be no presumption; and if such evidence is that such percentage was ten one-hundredths or more, there shall be a presumption that such defendant was under the influence of intoxicating liquor. A certificate, signed and sworn to, by a chemist of the department of public safety or by a chemist of a laboratory certified by said department, which contains the results of an analysis made by such chemist of the percentage of alcohol in such blood shall be prima facie evidence of the percentage of alcohol in such blood.

SECTION 2. Paragraph (f) of said section 24 of said chapter 90 is hereby amended by striking out the first and second sentences, as appearing in chapter 773 of the acts of 1967, and inserting in place thereof the following two sentences: - Whoever operates a motor vehicle upon any way or in any place to which the public has right of access, or upon any way or in any place to which the public have access as invitees or licensees, shall be deemed to have consented to submit to a chemical test or analysis of his breath or blood in the event that he is arrested for operating a motor vehicle while under the influence of intoxicating liquor; provided, that no person shall be deemed to have consented to a blood test unless such person has been brought for treatment to a medical facility licensed under the provisions of section fifty-one of chapter one hundred and eleven; and provided, further, that no person who is afflicted with hemophilia, diabetes or any other condition requiring the use of anticoagulants shall be deemed to have consented to a withdrawal of blood. Such test shall be administered at the direction of a police officer, as defined in section one of chapter

ninety C, having reasonable grounds to believe that the person arrested has been operating a motor vehicle upon such way or place while under the influence of intoxicating liquor.

Approved July 2, 1980.

EMERGENCY LETTER - July 4, 1980 @ 9.00 A.M.

Chap. 384. AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH AN ENERGY RESOURCES COMMISSION.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 8H the following section:-

Section 8I. A city or town which accepts this section may establish an energy resources commission, hereinafter called the commission, for the promotion and development of the energy resources of said city or town. Such commission shall: (1) develop and administer programs relating to energy conservation, nonrenewable energy supply and resource development, recycling, energy information, emergency heating assistance, and energy emergencies; (2) advise, assist, and cooperate with state, regional, and federal agencies in developing appropriate programs and policies relating to energy planning and regulation in the commonwealth including assistance and advice in the preparation of loan or grant applications with respect to energy programs for local agencies; (3) develop local energy data and information management capabilities to aid energy planning and decision-making; (4) promote the development of sound local energy education programs; (5) with the approval of the city or town, apply for, receive, expend, represent and act on behalf of the city or town in connection with federal grants, grant programs or reimbursements, or private grants, keep accounts, records, personal data, enter into contracts, and adjust claims; (6) accept gifts, grants, bequests, and devises, whether real or personal, from any source, whether public or private, for the purpose of assisting the commission in the discharge of its duties; (7) subject to appropriation, acquire real or personal property; (8) promulgate rules and regulations necessary to carry out their statutory responsibilities; (9) seek to coordinate the activities of governmental or unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work and it shall keep an index of all energy resources within such city or town with the objective of obtaining information pertinent to proper utilization of such resources; (10) it shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The

commission may, subject to appropriation, appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns the members shall be appointed by the selectmen, except that in towns having a manager form of government appointments shall be made by the town manager, subject to the approval of the selectmen. In any city or town which has not accepted the provisions of section eight H, the energy resources commission may assume the powers and duties of a recycling commission.

When a commission is established, the initial terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall, in a city, be filled for the unexpired term in the same manner as an original appointment, and, in a town, in the manner provided in section eleven of chapter forty-one.

Approved July 3, 1980.

Chap. 385. AN ACT REGULATING THE CHARGING OF POINTS IN CERTAIN MORTGAGE TRANSACTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 183 of the General Laws is hereby amended by adding the following section:-

Section 63. A mortgagee doing business in the commonwealth shall not charge a loan fee, finder's fees, points, so called, or similar fees in a mortgage transaction involving a residential property of four or less units and occupied or to be occupied in whole or in part by the mortgagor, except to the extent such fees or points constitute reimbursement for reasonable originating or underwriting expenses, as determined by the commissioner, incurred by the mortgagee and reimbursement for any commitment or other fees paid or to be paid by the mortgagee for the intended purposes of selling mortgage loans in the secondary mortgage market; provided, however, that this section shall not apply to loans guaranteed in whole or in part by the Veterans Administration, loans insured by the Federal Housing Adminis-

tration, or other loans subject to governmentally imposed interest rate ceilings, as determined by the commissioner.

SECTION 2. The purpose of this act is, in part, to exempt, as provided in paragraph 2 of section 501 of Public Law 96-221, the commonwealth from those provisions of section 501(a)(1) of said law which preempt any law limiting the amount of discount points or such other charges on any loan, mortgage, credit sale or advance secured by a first lien on residential property.

Approved July 3, 1980.

Chap. 386. AN ACT FURTHER REGULATING THE SALE OF CERTAIN INSURANCE POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by striking out section 54C, as amended by section 5 of chapter 168 of the acts of 1961, and inserting in place thereof the following section:-

Section 54C. Any company authorized to transact the kinds of business specified in the first or second clause, or in subdivision (b) of the sixth clause, of section forty-seven may insure against any loss of or damage to, or loss of use of, or mechanical failure or mechanical breakdown of motor vehicles other than motorboats, or aircraft, their fittings or contents, or against legal liability for loss or damage on account of injury to or death of any person or on account of any damage to property of another, arising out of the ownership, maintenance or use of said vehicles or aircraft, provided it maintains a surplus to policyholders including any guaranty capital, of not less than six hundred thousand dollars.

SECTION 2. Section 177 of said chapter 175 is hereby amended by inserting, after the sentence inserted by section 4 of chapter 236 of the acts of 1964, the following sentence:- Nothing in this section shall prohibit the payment of a service charge to the holder of a Class 1 or Class 2 license authorized under the provisions of section fifty-eight of chapter one hundred and forty by a company or its officers, agents or employees authorized to provide insurance protection against the mechanical failure or mechanical breakdown of a motor vehicle or loss of use caused thereby, authorized under the provisions of section fifty-four C.

Approved July 5, 1980.

Chap. 387. AN ACT REPEALING THE EXEMPTION OF HARVARD COLLEGE FROM THE LAW RELATIVE TO USE OF CERTAIN LAND IN THE CITY OF CAMBRIDGE WITHIN RESIDENTIAL DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter five hundred and sixty-five of the acts of nineteen hundred and seventy-nine is hereby repealed.

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

Approved July 5, 1980.

Chap. 388. AN ACT PROVIDING FOR THE ESTABLISHMENT OF AN OFFICE OF INSPECTOR GENERAL.

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

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 12 the following chapter:-

CHAPTER 12A.

OFFICE OF INSPECTOR GENERAL.

Section 1. As used in this chapter, unless the context requires otherwise, the following words shall have the following meanings:-

"Construction", the process of planning, acquiring, designing, building, altering, repairing, maintaining, servicing, improving, demolishing, equipping or furnishing any structure and appurtenance thereto, including facilities and utilities or other improvements of any kind to any real property and including, but not limited to, highways, airports, tunnels, sewers or dams;

"Procurement", buying, purchasing, renting, leasing or otherwise acquiring or disposing of supplies, services, or construction;

"Supplies", all property, including but not limited to equipment, materials, printing, insurance, and the purchase or lease of real property;

"Services", the furnishing of labor, time, or effort by a contractor, as defined below.

"Public funds", state, federal and local funds.

"Contractor", any person, corporation, partnership, business, union, committee, or other organization, entity or group of individuals.

Section 2. There is hereby established an office of inspector general, hereinafter called the office. There shall be in said office an inspector general, who shall be the administrative head of said office and who shall be appointed by the unanimous vote of the attorney general, the state auditor and the governor for a

term of five years. The person so appointed shall be selected without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation or criminal justice administration.

In case of a vacancy in the position of inspector general his successor shall be appointed in the same manner for the unexpired term. No person shall be appointed for more than two five-year terms.

The person so appointed may be removed from office, for cause, by a majority vote of the attorney general, the state auditor, and the governor. Such cause may include substantial neglect of duty, gross misconduct or conviction of a crime. The reasons for removal of the inspector general shall be stated in writing and shall include the basis for such removal. Such writing shall be sent to the clerk of the senate, the clerk of the house of representatives and to the governor at the time of the removal and shall be deemed to be a public document.

Section 3. There shall be an inspector general council which shall consist of the attorney general, the state auditor, the secretary of public safety, the state comptroller, an attorney admitted to practice law within the commonwealth appointed by the attorney general from a list of three such attorneys submitted by the speaker of the house, and a person with experience in business or accounting or on the faculty of a college of business or of accounting within the commonwealth appointed by the state auditor from a list of three such persons submitted by the president of the senate and a member of the public appointed by the governor from a list of three names submitted by the minority leader of the house of representatives and a member of the public appointed by the governor from a list of three names submitted by the minority leader of the senate. The appointive members shall serve for a term of three years and shall be compensated for work performed for the inspector general council at such rate as the secretary of administration shall determine and shall be reimbursed for expenses necessarily incurred in the performance of their duties. The inspector general shall meet with the inspector general council at least quarterly and may consult or request the assistance of members of the inspector general council with respect to the duties and responsibilities of the office.

Section 4. The inspector general may, subject to appropriation, appoint and may remove such employees, as he deems necessary to perform the duties of his office, including but not limited to assistant inspectors general, chief and deputy counsels, clerks, paralegals, accountants, auditors, financial management analysts and investigators and may determine their salaries and duties; provided, however, that the total amount of all such

salaries shall not exceed the sum appropriated therefor by the general court. The provisions of sections nine A and forty-five of chapter thirty, chapter thirty-one and chapter one hundred and fifty E shall not apply to officers and employees within the office.

The inspector general may establish personnel regulations for the officers and employees of the office. He shall file an annual personnel report not later than the first Wednesday in February with the senate and house committees on ways and means containing the job classifications, duties and salary of each officer and employee within the department together with personnel regulations applicable to said officers and employees. He shall file amendments to such report with the senate and house committees on ways and means whenever any changes become effective.

With the exception of the attorney general, the state auditor, the secretary of public safety, and the state comptroller, no member of the inspector general council or officer or employee of the office of inspector general shall hold, or be a candidate for, any elective public office while an officer or employee, or for three years thereafter, nor shall he hold office in any political party or political committee, or participate in any political campaign of any candidate for public office while an officer or employee.

The estimate of the amount required for the maintenance of the office required to be filed under section three of chapter twenty-nine shall be submitted by the inspector general with the advice and consent of the inspector general council.

The inspector general, with the advice and consent of the inspector general council may apply for and receive federal funds in order to fulfill the duties and responsibilities of the office.

Section 5. The inspector general council shall annually set the salary of the inspector general which salary shall not exceed ninety per cent of the salary of the attorney general.

Section 6. The office shall, pursuant to the provisions of chapter thirty A, promulgate rules and regulations which shall govern its proceedings.

The state secretary shall not accept for filing any such regulations unless such regulation has, in addition to compliance with all applicable provisions of chapter thirty A, been approved by the general court and the governor.

Any such regulations, adopted by the office, after compliance with all applicable provisions of said chapter thirty A, be filed with the house of representatives under the provisions of this section and shall be accompanied by a summary of said regulations. Such regulation shall be referred to the appropriate joint standing committee within five days of the filing thereof. The

said committee shall consider the proposed regulations and shall report to the general court within forty-five days whether or not such regulations should be adopted.

The clerk of the senate shall cause any such regulations approved by both branches of the general court within seventy-five days from the time of filing of the same with the house of representatives, to be forwarded to the governor for his approval; provided, that any such regulations which are not approved by the general court and the governor within ninety days of such filing shall be deemed to have been disapproved.

If the governor approves any such regulations so submitted he shall forward the same to the state secretary who shall publish the same in accordance with section five of chapter thirty A.

Emergency regulations may be adopted by the office after the prorogation of the general court in the manner provided by said section five of chapter thirty A; provided, that such regulations shall be filed with the house of representatives for submission to the next session of the general court for approval as hereinbefore provided; and provided, further, that such regulations shall not remain in force for more than ninety days after the general court has convened for such session.

Section 7. The office of inspector general shall act to prevent and detect fraud, waste and abuse in the expenditure of public funds, whether state, federal, or local, in programs and operation involving the procurement of supplies or involving the procurement of any construction by agencies, bureaus, divisions, sections, departments, offices, commissions, institutions and activities of the commonwealth, including those districts, authorities, instrumentalities or political subdivisions created by the general court and including the cities and towns, and the procurement of any supplies and services in connection with such construction.

Section 8. The inspector general may supervise, coordinate and conduct audits and investigations, when necessary, relating to programs and operations involving expenditure of public funds for the purposes described in section seven. He shall review legislation and regulations relating to programs and operations involving expenditure of public funds for said purposes and shall make recommendations concerning the effect of such legislation or regulation on the prevention and detection of fraud, waste and abuse. He may recommend policies which will assist in the prevention or detection of fraud, waste and abuse. The person in charge of, or the governing body of any public body, involved in the expenditure of public funds for the purpose of procurement of supplies or construction, and the services and supplies in connection therewith, may request the assistance of the office of inspector general with respect to implementation of any suggested policy. In that event the inspector general may

assign personnel to conduct, supervise, or coordinate this activity. He may recommend policies for the conduct, supervision or coordination of relationships between state and county agencies and other state and local government agencies and federal agencies and non-governmental entities with respect to all matters relating to the prevention and detection of fraud, waste and abuse in the expenditure of public funds for purposes described in section seven.

Section 9. The inspector general in carrying out the provisions of this chapter shall have access to all records, reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data and material that is maintained by or available to any public body involved in the expenditure of public funds as described in section seven which in any way relate to the programs and operations with respect to which the inspector general has duties and responsibilities except records under the provisions of section eighteen of chapter sixty-six as defined in section three of said chapter sixty-six.

He may request such information, cooperation and assistance from any state, county or local governmental agency as may be necessary for carrying out his duties and responsibilities. Upon receipt of such request each person in charge of, or the governing body of any public body involved in the expenditure of public funds as described in section seven, shall furnish to the inspector general or his authorized agent or representative such information, cooperation and assistance, except records under the provisions of section eighteen of chapter sixty-six as defined in section three of said chapter sixty-six.

He may make such investigations, audits and reports relating to the administration of the programs and operations of the applicable public bodies involved in the expenditure of public funds as described in section seven, as are in the judgment of the inspector general necessary and may conduct an examination of any public documents.

He shall have direct and prompt access to the head of any public body involved in the expenditure of public funds as described in section seven, when necessary for any purpose pertaining to the performance of his duties and responsibilities under this chapter.

He may request the production, on a voluntary basis, of testimony or documents from any individual firm or non-governmental entity which relate to his duties and responsibilities.

The inspector general may require by summons, the production of all records, reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data and material relevant to any matter under audit or investigation pursuant to the provisions of this chapter except records under

the provisions of section eighteen of chapter sixty-six as defined in section three of said chapter sixty-six.

Such summons shall be served in the same manner as a summons for the production of documents in civil cases issued on behalf of the commonwealth, and all provisions of law relative to said summons shall apply to a summons issued pursuant to this chapter. Any justice of the superior court department in the trial court may, upon application by the inspector general, issue an order to compel the production of records, reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data and material as aforesaid in the same manner and to the same extent as before said superior court department. Any failure to obey such order may be punished by said court as contempt.

Any summons issued pursuant to this section shall not be made public by the inspector general or any officer or employee of his department, nor shall any documents provided pursuant to this section be made public until such time as it is necessary for the inspector general to do so in the performance of his duties. The production of such books and papers pursuant to summons shall be governed by the same provisions with reference to secrecy which govern proceedings of a grand jury. Disclosure of such production, attendance, and testimony may be made to such members of the staff of the office of inspector general as is deemed necessary by the inspector general to assist him in the performance of his duties and responsibilities under this chapter and such members of the staff may be present at the production of records.

Section 10. In carrying out his duties and responsibilities, the inspector general shall report to the attorney general whenever the inspector general has reasonable grounds to believe there has been violation of federal or state criminal law. Said attorney general shall institute appropriate further proceedings.

When authorized by a majority vote of the inspector general council, the inspector general shall refer audit or investigative findings to the state ethics commission, or to any other federal, state or local agency, which has an interest in said findings.

Any referrals made under this section shall not be made public.

Section 11. The inspector general shall have the authority to institute a civil recovery action if authorized by the attorney general. In any case where the inspector general has discovered fraudulent acts and believes that civil recovery proceedings may be appropriate, he shall refer the matter to the attorney general. The attorney general may institute whatever proceedings he deems appropriate, may refer the matter to another state or local agency, may authorize the institution of appropriate civil proceedings by the inspector general, may retain the matter for

further investigation, or may remand the matter to the inspector general for further investigation.

Section 12. The office of inspector general shall, not later than April thirtieth of each year, prepare a report summarizing the activities of the office for the prior calendar year. The office of inspector general may also prepare interim reports. These reports shall be forwarded to the governor, president of the senate, speaker of the house of representatives, the chairman of the house and senate committees on ways and means, the executive director of the legislative post-audit committee and the secretary of administration and shall be made available to the public.

The report shall include, but not be limited to: a description of significant problems in the areas of fraud, waste and abuse within programs and operations within the jurisdiction of the office; a description of the recommendations for corrective action made by the office during the reporting period with respect to significant deficiencies in the areas of fraud, waste and abuse; the identification of each significant recommendation described in previous annual reports on which corrective action has not been completed; a summary of matters referred to prosecutive authorities and the prosecutions and convictions which have resulted; a summary of any matters concerning the recovery of monies as a result of civil suit by the office of inspector general or a referral to another agency for the purposes of such suit; a list of each audit report completed by the office during the reporting period; a statement of recommendations of amendments to this chapter or the rules, regulations or procedures governing the office of inspector general which would improve the effectiveness or the operation of the office of inspector general.

A copy of such report to the general court shall be forwarded to the head or governing body of each public body referred to in the report from whom the inspector general requires a response.

The head or governing body of, each public body may, within sixty days of receipt of such report, comment upon any references to such agency contained within such report. Such comment, if any, shall be forwarded to the president of the senate, the speaker of the house of representatives, the chairman of the house and senate committees on ways and means, the executive director of the legislative post-audit committee, the secretary of administration, and the office of inspector general.

The report of the inspector general shall be made public on the day of filing; provided, however, that the report shall not list the names of individuals or corporations nor describe them with such sufficient particularity as to readily identify them to the general public in those cases in which no official disposition has been made by the office of inspector general or the office of attorney general or the federal prosecutor.

Section 13. All records of the office of inspector general shall be confidential unless, it is necessary for the inspector general to make such records public in the performance of his duties, and shall not be public records as defined in section seven of chapter four.

Violation of the provisions of section nine and section ten relative to the secrecy of proceedings by the inspector general or any member of the staff, or by any member of the inspector general council, shall be punished by imprisonment in a jail or house of correction for not more than six months or by a fine of not more than one thousand dollars.

Section 14. (a) The inspector general may receive and investigate complaints or information from any public employee concerning the possible existence of any activity constituting fraud, waste and abuse in the expenditure of public funds as described in section seven.

(b) The inspector general shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the written consent of said employee, unless the inspector general determines such disclosure is necessary and unavoidable during the course of the investigation. In such event, the employee shall be notified in writing at least seven days prior to such disclosure.

(c) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employees as a reprisal for making a complaint or disclosing information to the inspector general, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

SECTION 2. Whenever the inspector general has reason to believe that a person has information with respect to any matter which is within the inspector general's jurisdiction to investigate, he may require by summons the attendance and testimony under oath of said person; provided that such summons may be issued by the inspector general only with prior approval of six members of the inspector general council. The approval of six members of the inspector general council for the issuance of a summons pursuant to this paragraph shall be obtained only after information concerning the matter under investigation has been presented to said council which information shall include: the name and address of the prospective witness; the subject of the investigation; a summary of the status of the investigation; a summary of the reasons for requesting a summons for testimony; and a summary of the general scope of the inquiry to be made of a prospective witness.

Such summons shall be served in the same manner as a summons for a witness in a civil case issued on behalf of the commonwealth and all provisions of law relative to such summons issued in such case shall apply to a summons issued under this section.

A witness required by summons to attend and testify under oath and produce books and records shall be given not less than forty-eight hours notice of the time and place of the taking of testimony, unless such notice shall unduly interfere with the conduct of the investigation and prior approval for a shorter period of time for such summons and notice has been obtained from at least six members of the inspector general council.

Such witness, at the time of service of said summons, shall be notified of the matter under investigation concerning such witness will be required to testify and shall be given a copy of the rules of procedures adopted by the inspector general and shall be notified that his testimony will be taken at a private session and whether the issuance of such summons was approved by the inspector general council and whether the witness is a subject of an investigation. A subject of an investigation is a person whose conduct is within the scope of the investigation. The failure to furnish such witness with any notice or information required to be given by this section shall cause the said summons to be invalid.

In addition the witness shall be notified that he has a right to consult with and to have an attorney present at the time the testimony is taken and that he has a constitutional right not to furnish or produce evidence which may tend to incriminate him.

A person summonsed to attend and testify under oath shall appear and testify under oath before at least two persons, one of whom shall be the attorney general or his designee, the state auditor or his designee, the secretary of public safety or his designee, the state comptroller or his designee, or other members of the inspector general council and the other of whom shall be the inspector general or an employee of the office who is an attorney admitted to practice in the commonwealth approved by the inspector general council.

The terms of any such summons must be reasonable, and the information sought from the summonsed witness reasonably related to the subject matter under investigation. No such summons may be issued for purposes of harassment or for any illegitimate or improper purpose. All constitutional and statutory rights and privileges which exist with respect to any summons issued by a court, including the privilege against self-incrimination, shall have the same force and effect with respect to any such summons issued by the inspector general.

A summonsed person may object to the summons served upon him in advance of the return date of the summons by a complaint

in the nature of a motion to quash filed in the superior court department of the trial court in Suffolk county. The filing of a complaint in the nature of a motion to quash shall stay all proceedings before the inspector general with respect to the pending summons until further order of the superior court. Any justice of the superior court may, upon application by the inspector general, issue an order to compel the attendance of witnesses summonsed as aforesaid and the giving of testimony under oath in furtherance of any audit or investigation under this chapter in the same manner and to the same extent as before the superior court. Failure to obey any order of the court with respect to said summons may be punished by said court as contempt.

Any summons issued pursuant to this section shall not be made public by the inspector general or any persons subject to his direction or by any member of the inspector general council or person designated to hear testimony under this section, and testimony given shall be governed by the same provisions with reference to secrecy which govern grand jury proceedings. Whoever violates the provisions of this paragraph shall be punished by imprisonment for not more than six months in a jail or house of correction or by a fine of not more than one thousand dollars. Disclosure of such testimony may be made to such members of the staff of the office of inspector general as is deemed necessary by the inspector general to assist him in the performance of his duties and responsibilities under this chapter and such members of the staff may be present at the taking of such testimony.

The authority of the inspector general to require by summons the attendance and testimony under oath of persons shall expire on July first, nineteen hundred and eighty-four.

SECTION 3. No person who has served as a member of the special commission concerning state and county buildings, established by chapter five of the resolves of nineteen hundred and seventy-eight, with the exception of the attorney general, or any person who has served in the employ of said commission, on either a paid or volunteer basis, shall be eligible for appointment to any positions created as a result of the establishment of the office of inspector general.

SECTION 4. The fifteenth paragraph of chapter 5 of the resolves of 1978, as amended by chapter 11 of the resolves of 1979, is hereby further amended by striking out, in line 4, the words "attorney general" and inserting in place thereof the following words "state secretary," and by striking out the last three sentences and inserting in place thereof the following three sentences:- The secretary shall be the custodian of such records, which he shall place in a separate and segregated vault in the archives division and he shall seal the same. Said re-

cords shall not be public records and shall be available only upon a court order. Upon appointment of the inspector general, the secretary shall forthwith deliver said records to the said inspector general.

SECTION 5. If any provision or clause of this chapter or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Approved July 5, 1980.

Chap. 389. AN ACT AUTHORIZING THE TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS TO TRANSFER LAND TO THE STATE SECRETARY FOR A STATE ARCHIVES.

Be it enacted, etc., as follows:

The board of trustees of the University of Massachusetts is hereby authorized and directed to transfer to the department of the state secretary the care and control of a certain parcel of land situated in the Dorchester district of the city of Boston for the purpose of constructing and locating facilities for a state archives, bounded and described as follows:-

Beginning at the southwesterly corner of said parcel, said corner is located the following courses and distances from the southeasterly end of Mount Vernon Street: S25°-50'-08"W, 176.86 feet; S50°-08'-22"E, 462.40 feet; S39°-51'-38"W, 1.00 foot and S50°-08'-22"E, 529.40 feet;

thence running N39°-51'-38"E along the easterly sideline of a 40 foot wide roadway easement a distance of 342.08 feet to a point of nontangency;

thence turning and running southeasterly by a curved line to the right or radius 15.67 feet a distance of 16.43 feet to a point of tangency;

thence running S50°-08'-22"E along the southerly sideline of a roadway easement a distance of 567.00 feet to a point of curvature;

thence turning and running southeasterly by a curved line to the right of radius 25.50 feet a distance of 18.33 feet to a point of nontangency;

thence turning and running southwesterly along the westerly sideline of a 35.00 foot wide roadway easement by a curved line to the right of radius 519.23 feet a distance of 131.15 feet to a point of tangency;

thence running S41°-17'-18"W along the westerly sideline of said roadway easement a distance of 318.69 feet;

thence turning and running northerly along the northerly sideline of a 50.00 foot wide roadway easement by a curved line to the left of radius 257.50 feet a distance of 241.41 feet to a point of tangency;
thence running N50°-08'-22"W along the northerly sideline of said roadway easement a distance of 395.10 feet to the point of beginning;
containing an area of 219,124 square feet of land or 5.030 acres, as shown on a plan entitled "Subdivision Plan of Land, Boston (Dorchester), Mass." by Harry R. Feldman, Inc. Dated May 8, 1980.
The above described parcel is subject to a sewer easement bounded and described as follows:
beginning at a point on the westerly sideline of said parcel, said point is N39°-51'-38"E a distance of 171.00 feet from the southwesterly corner of said parcel; thence running N39°-51'-38"E a distance of 171.08 feet to a point of nontangency;
thence turning and running southeasterly by a curved line to the right of radius 15.67 feet a distance of 16.43 feet to a point of tangency;
thence running S50°-08'-22"E a distance of 567.00 feet to a point of curvature;
thence turning and running southeasterly by a curved line to the right of radius 25.50 feet a distance of 18.33 feet to a point of nontangency;
thence turning and running southwesterly by a curved line to the right of radius 519.23 feet a distance of 131.15 feet to a point of tangency;
thence running S41°-17'-18"W a distance of 42.58 feet;
thence turning and running N50°-08'-22"W a distance of 609.50 feet to the point of beginning;
the above described parcel is subject to a parking easement bounded and described as follows:
beginning at a point on the westerly sideline of said parcel, said point is N39°-51'-38"E a distance of 321.00 feet from the southwesterly corner of said parcel;
thence running N39°-51'-38"E a distance of 21.08 feet to a point of nontangency;
thence turning and running southeasterly by a curved line to the right of radius 15.67 feet a distance of 16.43 feet to a point of tangency;
thence running S50°-08'-22"E a distance of 567.00 feet to a point of curvature;
thence turning and running southeasterly by a curved line to the right of radius 25.50 feet a distance of 18.33 feet to a point of nontangency;
thence turning and running southwesterly by a curved line to the right of radius 519.23 feet a distance of 23.11 feet;

thence turning and running N50°-08'-22"W a distance of 602.09 feet to the point of beginning.

Approved July 5, 1980.

Chap. 390. AN ACT EXEMPTING THE POSITION OF TOWN ENGINEER IN THE DEPARTMENT OF PUBLIC WORKS OF THE TOWN OF FRANKLIN FROM THE PROVISIONS OF CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of town engineer in the department of public works of the town of Franklin 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 in the position of town engineer holding permanent or probationary civil service status on the effective date of this act.

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

Approved July 7, 1980.

Chap. 391. AN ACT DIRECTING THE DIVISION OF FISHERIES AND WILDLIFE TO GRANT AN EASEMENT OVER A CERTAIN PARCEL OF LAND IN THE TOWN OF MONTAGUE FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The director of the division of fisheries and wildlife, in the name of and on behalf of the commonwealth, is hereby authorized to grant to the town of Montague for consideration of two thousand five hundred dollars the following permanent easements for the construction, reconstruction, repair and maintenance of a common sewer, in, on, upon, over, under, across or through certain land in the commonwealth, located in said town, presently held for use by said division as a trout hatchery, and bounded and described as follows:-

Beginning at a point at the land now or formerly of James F. Duckworth, said point being forty (40) feet more or less southerly from the southerly line of Hatchery Road; thence proceeding S 72° 52' 23" E forty-five (45) feet more or less to a point; thence proceeding S 80° 42' 55" E three hundred six (306) feet more or less to a point; thence proceeding S 11° 48' 53" E two hundred five (205) feet more or less to a point; thence proceeding S 30° 20' 11" E fifty (50) feet more or less to a point at the westerly line of Turners Falls Road; thence proceeding eighty (80) feet more or less southerly along the westerly line of Turners Falls Road to a point; thence proceeding N 30° 20' 11' W

one hundred thirty-one (131) feet more or less to a point; thence proceeding N 11° 48' 53" W one hundred ninety-five (195) feet more or less to a point; thence proceeding N 80° 42' 55" W two hundred ninety-four (294) feet more or less to a point; thence proceeding N 72° 52' 23" W thirty-five (35) feet more or less to the land now or formerly of said Duckworth; thence proceeding northerly on land now or formerly of said Duckworth twenty-two (22) feet more or less to the place of beginning, containing by estimation twelve thousand, five hundred (12,500) square feet more or less.

Being a twenty (20) foot wide permanent easement to construct, reconstruct, inspect, patrol, operate, repair and maintain a sanitary sewer and appurtenant structures; and abutting the sides of said easement a ten (10) foot wide temporary easement to construct said sanitary sewer consisting of 2 parcels.

Parcel I

Beginning at a point at the land now or formerly of James F. Duckworth said point being the northwest corner of the previously granted permanent easement; thence proceeding northerly on land now or formerly of said Duckworth eleven (11) feet more or less to a point; thence proceeding S 72° 52' 23" E fifty (50) feet more or less to a point; thence proceeding S 80° 42' 55" E three hundred twelve (312) feet more or less; thence proceeding S 11° 48' 53" E two hundred ten (210) feet more or less to a point; thence proceeding S 30° 20' 11" E eight (8) feet more or less to the westerly line of Turners Falls Road; thence proceeding southerly along Turners Falls Road forty (40) feet more or less to northerly line of the granted permanent easement; thence proceeding N 30° 20' 11" W fifty (50) feet more or less to a point; thence proceeding N 11° 48' 53" W two hundred five (205) feet more or less to a point; thence proceeding N 80° 42' 55" W three hundred seven (307) feet more or less to a point; thence proceeding N 72° 52' 23" W forty-five (45) feet more or less to place of beginning, containing by estimation six thousand, four hundred fifty (6,450) square feet more or less.

Parcel II

Beginning at a point at the land now or formerly of James F. Duckworth said point being the southwest corner of the granted permanent easement; thence proceeding S 72° 53' 23" E thirty-five (35) feet more or less to a point; thence proceeding S 80° 42' 55" E two hundred ninety-four (294) feet more or less to a point; thence proceeding S 11° 48' 53" E one hundred ninety-five (195) feet more or less to a point; thence proceeding S 30° 20' 11" E one hundred thirty-one (131) feet to the westerly line of Turners Falls Road; thence proceeding southerly on Turners Falls Road forty (40) feet more or less to a point; thence proceeding N 30° 20' 11" W one hundred seventy-one

(171) feet more or less to a point; thence proceeding N 11° 48' 53" W one hundred ninety (190) feet more or less to a point; thence proceeding N 80° 42' 55" W two hundred twenty-eight (228) feet more or less to a point; thence proceeding N 72° 52' 23" W thirty-one (31) feet more or less to the land now or formerly of said Duckworth; thence proceeding northerly on land now or formerly of said Duckworth eleven (11) feet more or less to the place of beginning, containing by estimation six thousand, seven hundred (6,700) square feet more or less.

Said department shall not erect or install any structures within the permanent easement area; and upon the completion of construction, that portion of the area on plans labeled "Temporary Easement" shall revert to said department.

Said easement area being a portion of deed of Joseph T. Fournier to Commonwealth of Massachusetts, dated November 28, 1919, and recorded in the registry of deeds in Franklin county Book 652 Page 275, also a plan of said easement areas by Curran Associates, Inc., Northampton MA., to be recorded in the registry of deeds in said county.

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

Approved July 7, 1980.

Chap. 392. AN ACT INCREASING THE CONTRIBUTION OF INSURANCE COMPANIES FOR CERTAIN COSTS OF FIRE PROTECTION.

Be it enacted, etc., as follows:

Section 195 of chapter 175 of the General Laws, added by chapter 966 of the acts of 1973, is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the words:- six hundred thousand.

Approved July 7, 1980.

Chap. 393. AN ACT ESTABLISHING A CANCER REGISTRY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 111A the following section:-

Section 111B. The department shall, subject to appropriation, establish a registry to record certain cases of malignant disease that occur in residents of the commonwealth, and such information concerning these cases as it shall deem necessary and appropriate in order to conduct epidemiologic surveys of cancer and to apply appropriate preventive and control measures.

The commissioner shall require the reporting of certain cases of malignant disease and the submission of such specified addi-

tional information on reported cases or control populations as he deems necessary and appropriate for the recognition, prevention, or control of such diseases.

The department shall, subject to appropriation, maintain comprehensive records of all reports submitted pursuant to this section. Such reports shall be confidential in accordance with section seventy and shall be released by the department only upon written request of the patient, his guardian, executor, attorney, or other person designated in writing by said patient. Such reports and records or information contained therein, may also be released by the department to persons authorized by the commissioner to conduct research studies or to other persons, but no such studies shall identify the subjects of said reports or records.

Nothing in this section shall be construed to compel any individual to submit to medical or department examination or supervision.

The department shall make such rules and regulations as are necessary to implement the provisions of this section pursuant to chapter thirty A.

SECTION 2. The department of public health shall, subject to appropriation, establish the incidence registry to record certain cases of malignant disease and promulgate necessary rules and regulations as are provided for in section one of this act prior to July first, nineteen hundred and eighty-one. The interval between the effective date of this act and the implementation shall be devoted to planning and identification of resources for said registry.

Approved July 7, 1980.

Chap. 394. AN ACT FURTHER REGULATING PAYMENT BY CHECK TO THE REGISTRY OF MOTOR VEHICLES FOR CERTAIN FEES.

Be it enacted, etc., as follows:

The penultimate paragraph of section 33 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, added by chapter 194 of the acts of 1971, and inserting in place thereof the following sentence:- If the payment of any such fee is made by check and said check is not duly paid, the registrar may, after hearing, revoke and order the return of any learner's permit, license to operate a motor vehicle, certificate of registration and operating license of a registrant, number plate, sticker, decal or other thing for which the check was tendered; provided, however, that any valid learner's permit or license to operate a motor vehicle which is so revoked shall be reinstated upon payment in full of said fee.

Approved July 7, 1980.

Chap. 395. AN ACT RELATIVE TO THE COLLECTION OF SALES TAXES AT TRANSIENT LOCATIONS WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 62C of the General Laws is hereby amended by inserting after the definition of "Code" the following two definitions:-

"Promoter", a person who, either directly or indirectly, rents, leases or grants a license to use space to any person for the display for sale or for the sale of tangible personal property subject to tax under chapter sixty-four H, at more than three shows during the calendar year, or who operates more than three shows during the calendar year. For purposes of determining whether three shows have been held, the conduct of an activity described in the definition of "Show" on one day alone or on a series of up to seven consecutive days shall be deemed to constitute a single show.

"Show", a flea market, craft show, antique show, coin show, stamp show, comic book show fair and any similar show, whether held regularly or of a temporary nature at which more than one vendor displays for sale or sells tangible personal property subject to tax.

SECTION 2. Said chapter 62C is hereby further amended by inserting after section 8 the following section:-

Section 8A. Every promoter shall file with the commissioner a report for each calendar month for all shows held within the commonwealth with respect to which he was a promoter, listing the date and place of each show and the name, address and vendor registration number, by show, of every person whom he permitted to display for sale or to sell tangible personal property subject to tax under chapter sixty-four H at such show. Such report shall be filed within twenty days after the end of such calendar month. Every person shall furnish the promoter of any show at which such person displays for sale or sells tangible personal property subject to tax under chapter sixty-four H with a statement of his name, address and vendor registration number for the promoter's use in filing the report required herein.

Every promoter shall keep a record of the date and place of each show and the name, address and vendor registration number of every person whom he permits to display for sale or to sell tangible personal property subject to tax under chapter sixty-four H at such show. Such records shall be open to inspection and examination at any resonable time by the com-

missioner or his duly authorized representative and such records shall, unless the commissioner consents in writing to an earlier destruction, be preserved for three years after the date the report was filed or the date it was due, whichever occurs later, except that the commissioner may by regulation require that they be kept for a longer period of time. Such records may be kept within the meaning of this section when reproduced on any photographic, microfilm or other process which actually reproduces the original record.

SECTION 3. Section 34 of said chapter 62C, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by inserting after the second sentence the following sentence:- If any promoter required to file a report under section eight A fails to file the report within the time therein prescribed, he shall be liable for a penalty of five dollars for each day during which he has so failed to not file such report.

SECTION 4. Said chapter 62C is hereby further amended by inserting after section 67 the following section:-

Section 67A. (a) Every promoter of a show within the commonwealth shall, at least ten days prior to the opening of such show, file with the commissioner, in such form as the said commissioner may prescribe, a notice stating the location and dates of such show.

(b) The commissioner shall, within five days after the receipt of any such notice, issue to the promoter, without charge, a registration certificate to operate such show, except as hereinafter provided. No promoter shall rent, lease or grant a license to use space for a show or operate a show without obtaining such registration certificate. Such registration certificate shall be prominently displayed at the main entrance to the show. If a notice required under this section has been filed, and if a registration certificate has not been received by the promoter prior to the opening of the show, the requirements contained in this section with respect to obtaining and displaying such a registration shall be deemed to have been complied with. A promoter shall have a right to a hearing before the commissioner to contest any notice of denial by the commissioner of such registration certificate.

(c) Any promoter who is a vendor under the provisions of chapter sixty-four H shall comply with all the provisions of said chapter sixty-four H applicable to vendors and with all of the provisions of this chapter relating to promoters.

(d) A promoter shall not permit any person to display for sale or to sell tangible personal property subject to tax under chapter sixty-four H at a show unless such person is registered under section sixty-seven as a vendor and displays his certificate of registration in accordance with the provisions of said section.

(e) Any promoter who fails to file a notice of a show, operates a show without a registration certificate, fails to file a report of a show, files a report which is wilfully false, or fails to comply with any provision contained in this chapter or any regulation promulgated by the commissioner pertaining to shows shall, after hearing, be subject to the revocation of all existing registration certificates issued, pursuant to this section. The commissioner may, after such hearing, issue an order denying such promoter a registration certificate to operate a show for a period of not more than six months from the date of such order. Such penalty shall be in addition to any other penalty imposed by this chapter.

SECTION 5. Section 76 of said chapter 62C, as so appearing, is hereby amended by inserting after the word "sixty-seven", in line 3, the words:- or sixty-seven A.

Approved July 7, 1980.

Chap. 396. AN ACT RELATIVE TO INHERITANCE RIGHTS OF CERTAIN ILLEGITIMATE CHILDREN.

Be it enacted, etc., as follows:

Chapter 190 of the General Laws is hereby amended by striking out sections 5 to 7, inclusive, and inserting in place thereof the following three sections:-

Section 5. An illegitimate person is heir of his mother and of any person from whom his mother might have inherited, if living, and the descendants of an illegitimate person shall represent such person and take, by descent, any estate which such person would have taken, if living.

Section 6. If an illegitimate person dies intestate, such estate shall pass in accordance with the law of intestate succession except that the father and his kindred shall not be considered as relatives of the illegitimate child unless the child might have inherited from the father as provided in section seven of this chapter.

Section 7. An illegitimate person whose parents have intermarried and whose father has acknowledged him as his child or has been adjudged his father under chapter two hundred and seventy-three shall be deemed legitimate and shall be entitled to take the name of his parents to the same extent as if born in lawful wedlock. If a decedent has acknowledged paternity of an illegitimate person or if during his lifetime or after his death a decedent has been adjudged to be the father of an illegitimate person, that person is heir of his father and of any person from whom his father might have inherited, if living, and the descendants of an illegitimate person shall represent that person and take by descent any estate which such person would have taken,

if living. A person may establish paternity if, within the period provided under section nine of chapter one hundred and ninety-seven of the General Laws for bringing actions against executors and administrators, such person either (a) delivers to the executor or administrator an authenticated copy of a judgment rendered by a court of competent jurisdiction during a decedent's lifetime adjudging the decedent to be the father of an illegitimate person; or (b) commences, in a court of competent jurisdiction, an action in which the executor or administrator is a named party and in which such paternity is ultimately proved.

Approved July 7, 1980.

Chap. 397. AN ACT PROVIDING THAT EMPLOYEES OF THE COUNTY CO-OPERATIVE EXTENSION SERVICE OF SUFFOLK COUNTY MAY PARTICIPATE IN THE COMMONWEALTH'S GROUP INSURANCE PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of paragraph (b) of section 2 of chapter 32A of the General Laws is hereby amended by inserting after the word "Authority", inserted by section 1 of chapter 569 of the acts of 1974, the words:- the county cooperative extension service of Suffolk county.

SECTION 2. The fourth paragraph of section 8 of said chapter 32A, as amended by chapter 330 of the acts of 1975, is hereby further amended by inserting after the word "Authority", in line 10, the words:- the county cooperative extension service of Suffolk county.

SECTION 3. The second paragraph of section 44A of chapter 128 of the General Laws, as appearing in section 3 of chapter 924 of the acts of 1977, is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word: - seven.

Approved July 7, 1980.

Chap. 398. AN ACT FURTHER DEFINING INDEPENDENT LICENSED INSURANCE AGENTS TO WHOM CERTAIN PREMIUMS ARE TO BE PAID BY CERTAIN INSURERS.

Be it enacted, etc., as follows:

Section 162D of chapter 175 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 149 of the acts of 1979, and inserting in place thereof the following sentence:- Any insurer issuing or delivering in

the commonwealth either motor vehicle policies or bonds, as defined in section thirty-four A and thirty-four O of chapter ninety, which do business in the commonwealth through independent licensed insurance agents pursuant to the so-called American Agency System or any other system, other than that of an employer to employee relationship and designated producers, under the plan for equitable apportionment among companies of premiums, losses or expenses, or any combination thereof, as provided under section one hundred and thirteen H, shall pay each agent the indicated expense premium commission as established by the commissioner in his opinion, findings and decision on automobile insurance rates as commission only, and no portion of the indicated expense premium commission shall be considered as profit sharing or expense reimbursement.

Approved July 7, 1980.

Chap. 399. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH RULES AND REGULATIONS FOR SPECIAL POLICE OFFICERS LICENSED BY THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by inserting after section 10K the following section:-

Section 10L. The commissioner of public safety may promulgate rules and regulations as may be necessary to insure proper standards of skill for special police officers licensed by said commissioner under the provisions of sections ten, ten A, ten B, ten C, ten D, ten E, ten H, ten I, ten J and ten K.

Approved July 7, 1980.

Chap. 400. AN ACT RELATIVE TO THE PURCHASE OR SALE OF GOLD, SILVER AND PLATINUM.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 142 the following section:-

Section 142A. Whoever is in the business of purchasing gold, silver or platinum shall enter in a book kept for that purpose a description of the item, quantity purchased, the purchase price and the name and address of the seller; provided that the purchase price of such item is at least fifty dollars. Any person who sells gold, silver or platinum shall be required to show to the buyer prior to said sale identification which includes a photograph of said seller. Said book shall at all times be open

to the inspection of the chief of police of a city or town or of any other officer having similar duties or any officer authorized by either of them, or a state police officer. Whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars or imprisonment of not more than one year, or both such fine and imprisonment.

Approved July 7, 1980.

EMERGENCY LETTER - July 10, 1980 @ 12:30 P.M.

Chap. 401. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO PAY A CERTAIN SUM TO THE TOWNS OF BARRE AND OAKHAM IN LIEU OF TAXES ON CERTAIN LANDS UNDER ITS CONTROL IN SAID TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the metropolitan district commission is hereby authorized and directed to pay the town of Barre the sum of seventy-one thousand three hundred eighty-one dollars and fifty-two cents, and the town of Oakham the sum of sixty-three thousand eight hundred seven dollars and sixty-six cents, as compensation for an inequity in the valuation of land in said town held by said commission for the purpose of a water supply and protection of its sources. Such payments shall be for the period from July first, nineteen hundred and seventy-seven through June thirtieth, nineteen hundred and eighty, provided that such payments shall be made from any funds presently being held for this purpose and from the current fiscal year appropriation. Acceptance of said payments by said towns shall satisfy all obligations by said commission for payments in lieu of taxes for said period of time.

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

Approved July 8, 1980.

Chap. 402. AN ACT EXEMPTING THE POSITION OF SUPERVISOR OF BUILDINGS AND GROUNDS IN THE SCHOOL DEPARTMENT OF THE TOWN OF FRANKLIN FROM THE PROVISIONS OF CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of supervisor of buildings and grounds in the school department of the town of Franklin 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 who holds permanent civil service status as a supervisor of buildings and grounds in said school department on the effective date of this act.

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

Approved July 8, 1980.

Chap. 403. AN ACT MAKING CERTAIN CHANGES IN THE ADMINISTRATIVE PROCEDURES RELATIVE TO STATE TAXATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make changes in the administrative procedures relative to state taxation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 10C of chapter 58 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 42 of chapter 514 of the acts of 1978, and inserting in place thereof the following two sentences:- The commissioner shall report his final equalization and apportionment to the general court on or before December thirty-first. The equalized valuations and apportionments so established shall be the basis for all state, county or district assessments, distributions and appropriated grants and reimbursements which are based on equalized valuations and apportionments, in the next two-year period and until another equalization and apportionment has been established.

SECTION 2. The first paragraph of section 18A of chapter 58 of the General Laws, as appearing in section 70B of chapter 367 of the acts of 1978, is hereby amended by striking out, in line 14, the word "April" and inserting in place thereof the word:- March.

SECTION 3. Section 16 of chapter 62C of the General Laws is hereby amended by striking out subsection (b), as amended by section 117 of said chapter 514.

SECTION 4. Subsection (a) of section 21 of said chapter 62C, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by inserting after the word "chapter", in line 8, the words:- chapters sixty A, sixty-two to sixty-five C, inclusive, section ten of chapter one hundred and twenty-one A and section twenty-one of chapter one hundred and thirty-eight.

SECTION 5. Subsection (b) of section 21 of said chapter 62C is hereby amended by striking out clause (9), inserted by chapter 543 of the acts of 1978, and inserting in place thereof the following clause:-

(11) the disclosure by the commissioner at least annually of a list of all taxpayers, including but not limited to individuals, trusts, partnerships, corporations, one hundred and twenty-one A corporations and other taxable entities, that are delinquent in the payment of their tax liabilities in an amount greater than five thousand dollars for a period of six months from the time the taxes were assessed. Said list shall contain the names, address, types of taxes, month and year assessed and amounts outstanding of said delinquent taxpayers.

At least ninety days prior to said disclosure of the name of any such delinquent taxpayer, the commissioner shall mail a written notice to each such delinquent taxpayer by certified mail addressed to such delinquent taxpayer at his last or usual place of business or abode detailing the amount and nature of this delinquency and the intended disclosure of this delinquency. If the delinquent tax has not been paid sixty days after said notice, the commissioner shall disclose such tax in said list of delinquent taxpayers.

Unpaid taxes shall not be deemed to be delinquent and subject to disclosure if a written agreement for payment exists without default between the taxpayer and the commissioner; or the commissioner certifies that the tax liability is under appeal or is based wholly upon a question of law that is currently under appeal before a court or the appellate tax board in another case involving the same question.

Any unauthorized disclosure made by the commissioner in good faith effort to comply with this paragraph shall not be considered a violation of this section.

SECTION 6. Section 25 of said chapter 62C, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out, in line 3, the words ", every taxpayer required to register under chapter sixty-four B".

SECTION 7. The second paragraph of section 33A of said chapter 62C, as so appearing, is hereby amended by striking out, in line 2, the word ", sixty-four B,".

SECTION 8. The third paragraph of section 37 of said chapter 62C is hereby amended by striking out, in lines 1 and 2, as so appearing, the words "a taxpayer as defined in section one of chapter sixty-four B, an" and inserting in place thereof the word:- an.

SECTION 9. The second paragraph of section 57 of said chapter 62C, as so appearing, is hereby amended by striking out, in line 4, the words "the commission" and inserting in place thereof the word:- him.

SECTION 10. The first paragraph of section 67 of said chapter 62C is hereby amended by striking out, in line 2, the words ", each taxpayer as defined in chapter sixty-four B", as so appearing.

SECTION 11. Paragraph (c) of section 13 of chapter 64A of the General Laws, as appearing in section 2 of chapter 481 of the acts of 1979, is hereby amended by striking out, in lines 1 to 3, inclusive, the words "of the excise imposed by section four and all sums received as penalties, forfeiture, interest, cost of suits and fines, shall" and inserting in place thereof the word: -shall.

SECTION 12. The second sentence of section 14 of chapter 65 of the General Laws, as amended by section 175 of chapter 514 of the acts of 1978, is hereby further amended by striking out, in line 2, the word "possible" and inserting in place thereof the word:- impossible.

SECTION 13. Chapter 65C of the General Laws is hereby amended by striking out section 27, as appearing in section 74 of chapter 684 of the acts of 1975, and inserting in place thereof the following section:-

Section 27. Except as otherwise expressly provided in this chapter, any person required under this chapter to pay any tax, or required by this chapter or chapter sixty-two C, or regulations made under the authority of chapter fourteen and chapter sixty-two C to make a return or supply any information, who willfully fails to pay such tax or make such return or supply such information at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in a jail or house of correction for not more than one year, or both.

SECTION 14. Clause (e) of the first sentence of section 21 of chapter 138 of the General Laws, as appearing in section 10 of chapter 481 of the acts of 1979, is hereby amended by striking out, in line 2, the word "alcohol" and inserting in place thereof the word:- alcoholic.

SECTION 15. This act shall take effect as of January first, nineteen hundred and eighty.

Approved July 8, 1980.

Chap. 404. AN ACT PROVIDING THAT THE POSITION OF SUPERVISOR OF CUSTODIANS AND MAINTENANCE IN THE SCHOOL DEPARTMENT OF THE TOWN OF MILTON SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of supervisor of custodians and maintenance in the school department of the town of Milton 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 8, 1980.

Chap. 405. AN ACT AUTHORIZING THE SHELBURNE FIRE DISTRICT TO BORROW MONEY FOR FIRE EQUIPMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seven of chapter forty-four of the General Laws or any general or special law to the contrary the Shelburne Fire District is hereby authorized, for the purpose of purchasing fire equipment, to borrow such sums as may be necessary but not exceeding in the aggregate fifty-five thousand dollars and not exceeding a ten year period.

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

Approved July 8, 1980.

Chap. 406. AN ACT PROVIDING FOR CERTAIN AMOUNTS TO BE REFUNDED UPON ABATEMENT OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 59 of the General Laws is hereby amended by striking out section 69, as most recently amended by chapter 585 of the acts of 1977, 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 eight per cent from the time of payment or the due date of the tax, whichever is later. This interest shall not be waived.

SECTION 2. Section 2 of chapter 60A of the General Laws is hereby amended by striking out the tenth sentence, as appearing in section 4 of chapter 415 of the acts of 1976, and inserting in place thereof the following sentence:- If an abatement of an excise assessed by a board of assessors is ordered by a decision of the county commissioners or the appellate tax board, any overpayment with interest thereon at the rate of six per cent per annum from the date of payment shall be refunded by the city or town treasurer from any available funds, upon certificate by the collector of taxes and approval for payment as required by section fifty-two of chapter forty-one, without any appropriations therefor by the municipality.

SECTION 3. The provisions of section one of this act shall apply only to abatements filed on or after the effective date of this act.

SECTION 4. This act shall take effect as of July first, nineteen hundred and seventy-nine.

Approved July 8, 1980.

Chap. 407. AN ACT RELATIVE TO REAL ESTATE LOANS BY TRUST COMPANIES.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by striking out sections 55 to 57, inclusive, and inserting in place thereof the following four sections:-

Section 55. A. Any such corporation may, subject to the limitations of section fifty-six, make, acquire by purchase, participate in or service first mortgage real estate loans of the following classes:

(1) a mortgage loan on improved farm land, located within the commonwealth or within a radius of fifty miles of its principal office without regard to geographical location, not exceeding fifty per cent of its appraised value and payable in or within three years from the date of the note, or acquisition, except that, when by its terms the note requires repayment of not less than two per cent of the principal each year, the loan may be payable in or within five years from the date of the note or the acquisition thereof;

(2) a mortgage loan on improved real estate, located in the United States, not exceeding fifty per cent of its appraised value and payable in or within five years from the date of the note, mortgage or other such instrument or the acquisition thereof;

(3) a mortgage loan on improved real estate, located within the commonwealth or within a radius of fifty miles of the principal office of such corporation without regard to geographical location, not exceeding sixty per cent of its appraised value and payable in or within three years from the date of the note or the acquisition thereof, except that when, by its terms, the note requires repayment of not less than two per cent of the principal each year, the loan may be payable in or within five years from the date of the note or the acquisition thereof;

(4) a mortgage loan on improved real estate, located in the United States, not exceeding eighty per cent of its appraised value, or a mortgage loan on a leasehold interest created pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, not exceeding eighty per cent of

the value of such leasehold interest; provided, that the terms of the note, mortgage or other such instrument shall require payments in periodic instalments, at intervals not exceeding three months, sufficient to amortize at least forty per cent of the principal in or within ten years or in periodic instalments, at intervals not exceeding three months, sufficient to fully amortize the principal in or within twenty-five years from the date of the note, mortgage or other such instrument or the acquisition thereof;

(5) a mortgage loan on real estate, located in the United States, when the note has been endorsed for insurance, or a commitment to so insure has been given, by the Federal Housing Administrator or is guaranteed in whole or in part by the United States under the Servicemen's Readjustment Act of 1944.

A loan secured by real estate shall be deemed to include a loan on a leasehold under a lease which does not expire for at least ten years beyond the maturity date of the loan, subject to such rules and regulations as the commissioner may prescribe.

B. Any such corporation may make or acquire first mortgage loans of the several classes specified in paragraphs 1 to 13, inclusive, of this section, on real estate mortgaged or to be mortgaged, and, in the case of loans of the class specified in paragraph 4, on leasehold interests created pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, in air rights over land owned or held by the Massachusetts Turnpike Authority, or on leasehold interests created pursuant to section twenty-two E of chapter forty, in air rights over land owned or held by a city or town, mortgaged or to be mortgaged, subject in each instance to the limitations applicable to the particular class, except that periodic payments provided by a mortgage of any class may be less for the first year of the term than for the remainder thereof.

Each such loan shall be evidenced by a note secured by a first mortgage which shall be a first lien on the real estate so loaned upon, except for municipal liens and for mortgages or other liens held by the corporation, and subject to participating interests in the case of a participation mortgage loan under paragraph 8, but nothing in this paragraph shall prevent such corporation from making an agreement with a lessee of the mortgaged property for uninterrupted possession thereof by the lessee in the event of foreclosure of the mortgage so long as the lessee shall comply with the terms of such lease.

Such first mortgages shall be on real estate located in the commonwealth or in a city or town of a state contiguous to the commonwealth, provided, that such city or town is not more than fifty miles from the town in which the main office of such corporation is located as determined by the distance between the two nearest points of separation.

1. Forty Per Cent of Value.- A mortgage loan on unimproved or unproductive real estate, not exceeding forty per cent of its value, payable on demand or not more than three years from the date of the note.

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.

3. Sixty Per Cent of Value, Amortized.- A mortgage loan not exceeding sixty per cent of the value of the real estate, payable not more than thirty years from the date of the note; provided, that the terms of the note or mortgage shall require payments on the loan to be made in periodic instalments, at intervals not exceeding three months, in amounts aggregating annually not less than two per cent of the original amount of the loan.

4. Eighty Per Cent of Value.- A mortgage loan not exceeding eighty per cent of the value of the real estate, or, in the case of a mortgage loan on a leasehold interest created pursuant to section twenty-two E of chapter forty, or chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, seventy per cent of the value of such leasehold interest, payable not more than thirty-five years from the date of the note; provided, however, that in the event a mortgage loan is proposed wherein the Massachusetts Industrial Finance Agency agrees to insure that portion of the loan exceeding eighty per cent of the value of the real estate, a mortgage loan may be made under this paragraph for eighty per cent of the value of the real estate plus that portion over eighty per cent so insured, but no such loan shall be made for more than ninety per cent of the value of the real estate, even if insured by said agency. The terms of the note or mortgage shall require payments on the loan to be made in periodic instalments, at least quarterly, in amounts aggregating annually not less than three per cent of the original amount of the loan, except that the minimum annual principal payment may be less than three per cent of the original amount of the loan if the terms of the note or mortgage shall require periodic payments, at least quarterly, in such amounts as will enable complete amortization over a period equal to the maximum term authorized by this paragraph, which periodic payments shall be equal in amount or shall be in accordance with a schedule under which the earlier of such payments shall be greater than the later and such periodic payments shall be applied first to interest and the balance to principal and the interest on the loan shall be computed on the unpaid balance monthly or at such other time as the periodic payment is required. The note or mortgage also shall require payment, at least quarterly, of a proportionate part of the estimated real estate taxes and betterment assessments on the mortgaged real estate if the amount of

the loan exceeds seventy per cent of the value of the real estate. No loan of this class shall be made or acquired for a sum in excess of one and one-quarter per cent of the deposits of such corporation or fifty thousand dollars, whichever is greater.

5. Ninety Per Cent of Value.- 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 require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall be not less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of thirty-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 committee an affidavit that the mortgagor does not require junior financing and that the committee shall certify in writing that the dwelling has a useful life beyond the term said loan has to run. Each such monthly payment shall be applied first to interest and the balance to principal. Interest upon such loan shall be computed monthly on the unpaid balance. The note or mortgage also shall require payment each month of a proportionate part of the estimated real estate taxes and betterment assessment on the mortgaged real estate. No loan of this class shall be made or acquired for a sum in excess of ninety-three thousand seven hundred and fifty dollars.

6. Ninety-Five Per Cent of Value.- A mortgage loan not exceeding ninety-five per cent of the value of the real estate, payable not more than 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 require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall be not less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of thirty-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 mortgage shall furnish to the com-

mittee an affidavit that the mortgagor does not require junior financing and that the committee shall certify in writing that the dwelling has a useful life beyond the term said loan has to run; and provided, further, that that portion of the unpaid balance of the loan which exceeds eighty per cent of the value of the real estate shall be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation, or has been approved by the commissioner as qualified to insure loans of this class, and which is authorized to transact business in the commonwealth. Each such monthly payment shall be applied first to interest and the balance to principal.

Interest upon such loan shall be computed monthly on the unpaid balance. The note or mortgage also shall require payment each month of a proportionate part of the estimated real estate taxes and betterment assessment on the mortgaged real estate. No loan of this class shall be made or acquired for a sum in excess of seventy-five thousand dollars.

6A. 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 committee an affidavit that the mortgagor does not require junior financing, that the committee 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, 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.

6B. A mortgage loan not exceeding ninety-five per cent of the value of the real estate or in excess of ninety-five per cent of the real estate, but in no event more than one hundred per cent of the value of the real estate if such excess is secured by a deposit account assigned or pledged to the corporation to be used to supplement the monthly payments, 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 require monthly principal and interest payments which increase according to one of the following schedules - (1) seven and one-half per cent annually for a graduation period of five or fewer years; (2) five per cent annually for a graduation period of five or fewer years; (3) two and one-half per cent annually for a graduation period of five or fewer years; (4) two per cent annually for a graduation period of ten or fewer years; (5) three per cent annually for a graduation period of ten or fewer years; or (6) according to a schedule approved by the commissioner provided that no such schedule shall allow a graduation period of more than ten years; and subsequently 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 or the remaining period of the loan, whichever is greater; 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 the portion of the unpaid balance of the loan which exceeds eighty per cent of the value of the acceptable collateral shall be guaranteed or insured by the Federal Housing Administration, the Veterans Administration, or a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation, or has been approved by the commissioner as qualified to insure loans of this class, and which is authorized to transact business in the commonwealth. 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 seventy-five thousand dollars.

No loan of this class shall allow the schedule to be changed more than once a year and any such change shall not occur less than one year after the first regular loan payment.

The interest capitalization resulting from any negative amortization of any such loan shall be considered to have been contracted for at the time such loan was made.

The mortgagor shall have the right to convert, at a time chosen by him, to a more conventional mortgage as may be defined by the commissioner, provided that he is eligible for such a mortgage.

Each prospective mortgagor offered a graduated payment mortgage shall also be offered a more conventional mortgage as may be defined by the commissioner and shall receive materials explaining in reasonably simple terms the nature and conditions of the graduated payment mortgage. Such materials shall include: (1) a side-by-side comparison of differing interest rates and other terms; (2) payment schedules for both types of mortgages, to the extent they are known; (3) a description of the conversion option; and (4) a statement, prominently displayed, that an applicant has the option to elect a more conventional instrument.

7. Residential Development Loans.- A mortgage loan upon two or more parcels of real estate contained within a single project being developed by one owner, for the purpose of financing the construction of a dwelling and appurtenances designed to be occupied by not more than four families upon each such parcel. Such mortgage loan shall not exceed seventy-five per cent of the aggregate estimated completed value of the parcels of land and structures thereon securing the mortgage, or one hundred thousand dollars with respect to each such parcel and structures thereon, whichever amount is the lesser. Each mortgage loan of this class shall be payable not more than three years from the date of the note.

Not later than thirty days after such mortgage loan becomes payable, at least two members of the committee shall certify, in writing, according to their best judgment or as determined by them upon the opinion of an appraiser approved by said committee, the aggregate value of the parcels of land and structures thereon then remaining subject to the mortgage. If at that time the unpaid balance of principal on said mortgage exceeds sixty per cent of the value so certified, a sufficient reduction shall be required, as promptly as may be practicable, to reduce said

balance to sixty per cent of such value; and until so reduced, an amount equal to the unpaid amount of the required reduction shall be established and maintained by such corporation as a reserve for loss against such amount. No mortgage loan of this class shall be made or acquired for an amount in excess of one per cent of the deposits of such corporation or fifty thousand dollars, whichever is the greater. The aggregate balance of principal, outstanding at any one time, on mortgage loans of this class shall not exceed four per cent of the deposits of such corporation.

8. Participation Loans.- Any such corporation may, in participation with one or more other such corporations, or with one or more co-operative banks, savings banks, domestic insurance companies authorized to transact life insurance, national banking associations, savings and loan associations, or with one or more other banks or life insurance companies subject to supervision by an agency of any other state, if such institutions are authorized so to do, make or acquire mortgage loans of the classes referred to in paragraphs 1 to 6A, inclusive; provided, however, with respect to paragraph 5, that at least that portion of the unpaid balance of the loan which exceeds eighty per cent of the value of the real estate is insured or guaranteed.

The participating corporations shall enter into a written agreement, for themselves, their successors and assigns, which shall include provisions for the custody of the note and mortgage in the commonwealth and for the servicing and foreclosure thereof. The aggregate balance of principal of all such participations not insured by the Federal Housing Administrator, outstanding at any one time, shall not exceed twenty per cent of the total deposits of such corporation.

9. Construction Loans.- Any such corporation may make construction mortgage loans with respect to any of the classes of mortgage loans authorized by this section by paragraph 6 of section thirty-eight of chapter one hundred and sixty-eight; provided, that any payments required on account of principal shall commence not later than two years from the date of the mortgage note.

10. Improvement Loans.- A loan to the owner of improved real estate, upon which such corporation holds a mortgage, for the purpose of financing the improvement, repair, alteration or rehabilitation of such real estate or the purchase and installation of fixtures to be affixed thereto, including but not limited to the purchase and installation of a solar or wind-powered system or heat pump system. Such loan shall not exceed fifteen thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate. The loan shall be payable not more than fifteen years and thirty-two days from the date of the note, but the note or mortgage shall

provide that in any event it shall become due and payable simultaneously with the transfer of the mortgaged premises. The terms of the note or mortgage shall require that, commencing not later than two months after the date of the note, (a) payments shall be made on account of the principal in equal monthly installments in amounts which, at the maturity of the note, shall equal the original amount of the loan, or (b) fixed monthly payments shall be made in approximately the same amount during the term of the loan, which payments shall first be applied to interest and the balance to principal. The aggregate balance of principal outstanding at any one time on loans of this class shall not exceed four per cent of the deposits of such corporation.

In case of a mortgage and the note secured thereby shall have been sold or otherwise assigned to another banking institution, such corporation at the request of such other banking institution and of the owner of the mortgaged property may make a loan of this class within the limitations prescribed in this section; provided, that such corporation shall agree to sell and such other banking institution shall agree to buy such loan within thirty days after the loan is made.

10A. Any such corporation may make or acquire a loan to the owner of improved real estate located within its lending area as defined in this subsection for the purpose of financing the improvement, repair, alteration or rehabilitation of such real estate or the purchase and installation of fixtures to be affixed thereto, including but not limited to the purchase and installation of a solar or wind-powered system or heat pump system; provided that (a) each such loan shall be evidenced by a note and may, in the discretion of such corporation, be secured by a mortgage which shall be a lien on the real estate so loaned upon; (b) not less than ninety per cent of the unpaid balance of such loan at any time shall be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation or has been approved by the commissioner as qualified to insure loans of this class, and which is authorized to transact business in the commonwealth; (c) the note or mortgage shall provide that in any event it shall become due and payable simultaneously with the transfer of the mortgaged premises, and (d) such loan shall be subject to all the provisions and limitations applicable to first mortgage loans authorized by paragraph 10 of this section.

11. Loans Outside the Commonwealth.- Any such corporation, subject to regulations made by the commissioner, may make or acquire mortgage loans (a) on real estate located outside of the commonwealth, on which the notes have been endorsed for insurance by the Federal Housing Administrator, or combined with secondary mortgages guaranteed in full by the United States

under the Servicemen's Readjustment Act of nineteen hundred and forty-four, (b) on real estate located outside of the commonwealth, on which the notes have been guaranteed in part by the Administrator of Veterans' Affairs as provided by chapter forty-six of the acts of nineteen hundred and forty-five, as amended, and (c) on real estate located outside of its lending area as defined in this subsection which loans are of the several classes specified in paragraphs 1 to 9, inclusive.

The aggregate balance of principal, outstanding at any one time, in mortgage loans authorized by this paragraph shall not exceed the total of the aggregate book value of loans secured by mortgage on real estate located in the commonwealth and in states contiguous to the commonwealth within fifty miles from the town in which the main office of such corporation is located or twenty-seven and one-half per cent of the deposits of such corporation, whichever is the lesser; provided, however, that not more than ten per cent of the deposits of such corporation shall be invested in mortgage loans authorized by clause (c); and provided, further, that no investment shall be made under this paragraph if, at such time, such corporation is refusing to allow, receive, or consider applications regarding mortgage loans on real estate located within the commonwealth, except that this prohibition shall not be deemed to affect any investment which such corporation has entered into by a written commitment, but only to the extent of such commitment.

Such mortgage loans may be made or acquired notwithstanding the restrictions contained in this subsection and section fifty-one of chapter one hundred and sixty-seven; provided, that the maximum aggregate investment in mortgages of real estate shall not exceed the limitations prescribed by section fifty-six.

11A. Other Insured or Guaranteed Loans.- Any such corporation may make or acquire mortgage loans on real estate located within its lending area, as defined in this subsection, which mortgage loan or note is insured, or committed to be insured, by the Secretary of Housing and Urban Development or his designee under the provisions of the Housing and Community Development Act 12 USC 1715z-10. Such loans may be made or acquired notwithstanding the provisions of section fifty-one of chapter one hundred and sixty-seven.

12. Housing Projects.- Subject to such regulations as the commissioner deems necessary or advisable if requested to issue regulations hereunder by one or more trust companies, any such corporation, either alone or in conjunction with one or more such corporations, may exercise the powers relative to housing projects granted to domestic life insurance companies by section sixty-six A of chapter one hundred and seventy-five; provided, that the aggregate balance of principal outstanding at any one time in investments of this class shall not exceed three per cent of the deposits of such corporation.

13. Any such corporation may make, hold or acquire mortgage loans on real estate, regardless of location, relative to armed services housing accommodations as are guaranteed by the Secretary of Defense or his designee, pursuant to the provisions of Title VIII of the National Housing Act.

14. Notwithstanding the limitation contained in paragraph 4, any such corporation may make or acquire a first mortgage loan not exceeding eighty per cent of the value of a leasehold interest created pursuant to section twenty-two E of chapter forty or chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, if such leasehold interest is occupied, or to be occupied, by a nursing home, extended care facility or convalescent home, licensed under chapter one hundred and eleven.

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

Section 56. The aggregate amount invested in real estate loans under subsection A or subsection B of section fifty-five shall not exceed seventy per cent of the total of the time and savings deposits of such corporation, or fifty per cent of total deposits of such corporation, whichever is greater, provided that in addition to such deposits, an amount equivalent to ten per cent of the time and savings deposits of such corporation may be invested in mortgages insured by the Federal Housing Administrator or guaranteed in whole or in part by the United States under the Servicemen's Readjustment Act of 1977.

Section 56A. In connection with his annual examination of a trust company, the commissioner of banks shall consider the amount of investment made pursuant to paragraph 11 of subsection B of section fifty-five in assessing whether a trust company is satisfying its continuing and affirmative obligation to help meet the credit needs of its local community or communities delineated in accordance with applicable law and regulations; provided, however that the commissioner shall also consider activities and investments made by a trust company which contribute to the economic development of the commonwealth in general and the effect the investments made pursuant to said paragraph 11 of said section fifty-five may have on these other

activities and investments. Such assessment may be considered as a basis for denial of an application for the establishment of a branch office, the relocation of a main office or a branch office, or a merger or consolidation of such savings bank.

Annually, on or before the first Wednesday in February, the commissioner of banks shall communicate to the general court a report of the investments of trust companies made pursuant to said paragraph 11 of section fifty-five of chapter one hundred and seventy-two.

Said report shall consist of, but not be limited to, the following: (a) the amount and location by state of such investments as of the last business day of its fiscal year with comparative figures as of the end of the previous fiscal year; (b) the amount of investment in mortgages of real estate located in the commonwealth; (c) the amount of investments in mortgages of real estate located in the commonwealth representing loans sold but continued to be serviced by such corporation; and (d) any legislative recommendation deemed necessary or appropriate if the commissioner finds, or has reason to believe, that the availability of mortgage credit for real estate located within the commonwealth has been adversely affected by investments made pursuant to said paragraph 11.

Section 57. The following provisions shall, unless otherwise provided, apply to mortgage loans made or acquired by such corporation:-

1. Application.- There shall be a written application for each mortgage loan originated by the corporation showing the date, names of applicants, amount asked for and security offered, and containing such other information as the corporation may deem necessary. Such application shall be signed by or on behalf of the applicants prior to consummation of the loan and shall be filed and preserved with the records of the corporation but may accompany any sale or assignment of such mortgage loan. No application shall be required when a mortgage is acquired by purchase.

2. Appraisal.- At least two members of the committee charged with responsibility for making such investments, hereinafter referred to as the committee, or two officers of the corporation approved by said committee, shall certify, in writing, the value of the property offered as security according to their best judgment; and in the case of a mortgage loan acquired by purchase, two members of said committee, or two officers of the corporation approved by said committee, shall certify in writing, the value of the property mortgaged according to their best judgment. In either case such value may be determined upon the signed opinion in writing of an appraiser approved by said committee.

3. Additional Principal Payments.- Such corporation may accept principal payments in excess of payments required by any mortgage made or acquired under any of the provisions of section fifty-five, and such additional payments may be accepted as anticipating an equal number of whole payments or as effecting a reduction of all future payments required by the mortgage. In the event that any such additional payments are made, the committee may reduce the monthly or other periodic payments as set forth in said mortgage; provided, that such reduced payments shall not extend the original term of the mortgage except as authorized by paragraph 4.

3A. Prepayment of Interest.- Such corporation shall, upon written request by the mortgagor, accept a prepayment of interest for a period not exceeding twelve months beyond the end of the taxable year. In the event that any such additional payments are made, the board of investment may reduce the monthly or other periodic payments as set forth in the mortgage.

4. Revision of Terms.- With the approval of the committee of such corporation, at the request of the owner of the equity of redemption, the amount of the periodic payments of principal or interest, or both, called for by any note and mortgage and any other terms or provisions of any note or mortgage may be changed, provided, that, in the case of any change in the amount of any such periodic payments, the unpaid balance of principal is not in excess of the percentage of value of the mortgaged property required for one of the classes of mortgage loans authorized under section fifty-five as certified in accordance with the provisions of paragraph 2; and provided, that in such case, the periodic payments as changed shall meet the minimum payments required for such class of mortgage; and provided, further, that in the case of any change authorized hereunder, such change shall be consistent with the requirements for such class of mortgage as changed hereunder. Every such change shall be evidenced by a writing setting forth such change, the payments to be made pursuant thereto, the provisions of any mortgage extension and any other changed terms or provisions, which writing shall be filed with the papers relating to the loan.

No such change shall result in the extension of the term of such mortgage beyond the maximum number of years permitted under section fifty-five for such mortgage as changed hereunder, computed from the date of such extension. Neither the note evidencing the loan nor the mortgage securing the same shall be prejudiced by any such change, notwithstanding the fact that no provision for such change was originally made in the note or mortgage; and both note and mortgage shall continue to be held by the corporation as good and sufficient security for the balance remaining unpaid after the date of such change.

Nothing in this paragraph shall be construed to prevent any real estate mortgage loan held by such corporation from being rewritten, substituted or converted into any other class of mortgage loan which such corporation may lawfully hold; provided, that the unpaid balance of principal is not in excess of the percentage of the then value of the mortgaged property required for such other class of loan, as certified in accordance with the provisions of paragraph 2.

In revising the terms of any mortgage under the authority of this paragraph, no additional money shall be loaned or advanced thereon, but this provision shall not prevent such corporation from making a new mortgage loan of one of the classes authorized by section fifty-five or from making an additional advance on such mortgage as authorized by section twenty-eight A of chapter one hundred and eighty-three.

5. Servicing of Loans.- Any such corporation may collect and apply payments due upon and otherwise service mortgage loans sold by it and may authorize any servicing contractor, approved by the committee, to collect and apply payments due upon and otherwise service mortgage loans acquired by such corporation; provided, that any such servicing contractor servicing mortgage loans on real estate located in this commonwealth or within the fifty-mile limit referred to in subsection B of section fifty-five shall be a savings bank, trust company, national banking association, co-operative bank or federal savings and loan association, but mortgage loans so located may, subject to conditions approved by the commissioner, be serviced by a person eligible under regulations of the commissioner to service any insured or guaranteed mortgages hereinafter referred to in this paragraph. An agreement setting forth the terms and conditions of and charges to be made for such servicing shall be executed on behalf of such corporation and any such servicing contractor, and filed with the records of such corporation. The servicing of insured or guaranteed mortgages referred to in paragraph 11 of section fifty-five, section fifty-one of chapter one hundred and sixty-seven, and chapter forty-six of the acts of nineteen hundred and forty-five shall be governed by regulations of the commissioner.

6. Revaluation and Inspection.- Except as provided in clause (d), real estate securing mortgage loans shall be subject to periodic revaluation or inspection, as follows:-

(a) Revaluation Required.- Every parcel of real estate mortgaged to secure a loan which by its terms is payable in three years or less from the date of the note, except a parcel of real estate on which is located a residence which is designed for not more than four families, shall be revalued as long as the loan is held, at intervals of three calendar years commencing not later than the end of the third calendar year after the year in which

the loan is made or acquired. At the time of such revaluation at least two members of the committee shall certify, in writing, the then value of the mortgaged property, according to their best judgment or as determined by one such member so certifying upon the signed opinion in writing of an appraiser approved by said committee. Upon the partial release of any real estate securing a mortgage, the remainder of the security shall be revalued notwithstanding that the security shall have been revalued within three years; but this requirement shall not apply to construction mortgage loans.

(b) Inspection Authorized.- Every parcel of real estate mortgaged to secure a loan, other than the parcels referred to in clause (a), shall be revalued, as long as the loan is held, commencing not later than the end of the third calendar year after the year in which the loan is made or acquired and thereafter at intervals of five calendar years, in the manner provided in said clause or, in lieu of revaluation, such parcel shall be inspected for the purpose of determining the general physical condition of the mortgaged property, including its state of preservation or deterioration and any other information deemed by the board of investment as materially affecting the value of such parcel, except that, in the case of any parcel of real estate on which is located a residence which is designed for not more than four families, such periodic inspection or revaluation need not be made; provided, however, that in the event that a payment of interest or principal upon any such loan or on account of real estate taxes upon the parcel mortgaged to secure the same shall be in default, inspection for the purpose aforesaid shall be made within ninety days from the date of such default in payment of interest or principal or within one hundred and eighty days from the date of such default in payment on account of taxes, as the case may be, and thereafter periodic revaluation or inspection shall continue in accordance with the foregoing provisions of this clause until such loan shall no longer be in default. Such inspection shall be made by at least two members of said committee or by a person deemed by it to be qualified to make such inspection, and a report thereof shall be made in writing and signed by one of such members or by such person and shall be submitted to said committee.

(c) Reports.- Each report of revaluation and inspection shall be filed and preserved with the records of the corporation until the obligations to which it relates is paid in full or otherwise legally discharged.

(d) Insured and Guaranteed Mortgages.- Revaluation and inspection of insured and guaranteed mortgages, referred to in paragraph 5, shall be subject to regulations of the commissioner.

7. Excessive Loans.- Whenever the commissioner deems an excessive loan has been made, or is about to be made, upon real

estate, by any such corporation, he may cause an appraisal of said real estate to be made at the expense of the corporation. In such event, one appraiser shall be named by the commissioner, one by the corporation, and a third by the two appraisers thus named. Said appraisers shall certify in writing to the commissioner and to the corporation, the then value of said real estate according to their best judgment. If it shall appear from said appraisal that said loan is in excess of the amount authorized for such class of loan by the applicable provisions of section fifty-five or other provision of law, the commissioner may make such order in relation thereto as he deems advisable.

8. Legality of Certain Mortgages.- No provision of this chapter shall render illegal the investment in or pledge of any mortgages of real estate held by any such corporation on November first, nineteen hundred and fifty-five.

All loans on real estate located outside the commonwealth which are not governed by the provisions of section fifty-one of chapter one hundred and sixty-seven or chapter forty-six of the acts of nineteen hundred and forty-five, except those loans made within a radius of fifty miles of the principal office, and all participation loans and servicing arrangements shall be subject to such regulations as the commissioner may deem necessary.

The provisions of this section and sections fifty-five and fifty-six shall not apply to mortgages taken in good faith by way of security for debts to such corporation previously contracted, or to loans made by such corporation to secure the payment of a portion of the purchase price of real estate acquired by such corporation by foreclosure, or otherwise.

Approved July 8, 1980.

Chap. 408. AN ACT INCREASING THE MEMBERSHIP OF THE MUNICIPAL LIGHT BOARD IN THE CITY OF WESTFIELD AND FURTHER REGULATING THE ELECTION OF THE MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. The municipal light board of the city of Westfield shall consist of five members, one from each ward of said city to be elected for a term of no less than two years at the regular municipal election to be held in the year nineteen hundred and eighty-one.

SECTION 2. Any vacancy in said board prior to January fourth, nineteen hundred and eighty-two shall be filled by an appointment by the mayor with the consent of the city council and any such appointment shall not extend beyond said January third, nineteen hundred and eighty-two.

SECTION 3. The state secretary shall cause to be placed on the official ballot to be used in the city of Westfield at the biennial state election to be held in the year nineteen hundred and eighty the following question: "Shall an act passed by the General Court in the year nineteen hundred and eighty, entitled 'An act increasing the membership of the municipal light board of the city of Westfield and further regulating the election of the members', be accepted?" If a majority of the votes in answer to said questions is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved July 8, 1980.

Chap. 409. AN ACT INCREASING THE PENALTY FOR A SO-CALLED PIMP OR PURVEYOR.

Be it enacted, etc., as follows:

Section 6 of chapter 272 of the General Laws, is hereby amended by adding the following paragraph:-

The sentence of imprisonment imposed under this section shall not be reduced to less than two years, nor suspended, nor shall any person convicted under this section be eligible for probation, parole, or furlough or receive any deduction from his sentence for good conduct or otherwise until he shall have served two years of such sentence. Prosecutions commenced under this section shall not be continued without a finding nor placed on file.

Said chapter 272 is hereby further amended by striking out section 7, as amended by chapter 589 of the acts of 1977, 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 a period of five years and by a fine of five thousand dollars.

The sentence of imprisonment imposed under this section shall not be reduced to less than two years, nor suspended, nor shall any person convicted under this section be eligible for probation, parole, or furlough or receive any deduction from his sentence for good conduct or otherwise until he shall have served two years of such sentence. Prosecutions commenced under this section shall not be continued without a finding nor placed on file.

Approved July 8, 1980.

Chap. 410. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF ASHLAND TO THE COUNTY OF MIDDLESEX FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to convey by deed, approved as to form by the attorney general, a triangular-shaped parcel of land situated in the town of Ashland, presently used for water supply purposes to the county of Middlesex, acting by and through the county commissioners of said county, for highway purposes as shown on a plan entitled "Plan of Land in Ashland, Mass., Fountain and Union Streets, showing highway easement to be granted to the County of Middlesex by the Commonwealth of Massachusetts, Metropolitan District Commission, prepared by Middlesex County Engineering Department, Scale: 1 inch equals 40 feet, June, 1979", said parcel being bounded and described as follows:

Beginning at the southeasterly corner thereof at a point in the present northerly side line of Union Street in a course bearing N.62°11'59"E., 271.74 feet in length as laid out and altered by the Massachusetts Department of Public Works in 1955 on behalf of the Town of Ashland; said point of beginning being located 128.06 feet distant southwesterly from the northeasterly end of said course bearing N.62°11'59"E., 271.74 feet in length; the aforesaid course bearing N.62°11'59"E., in the present northerly side line of Union Street shall for the purpose of this grant be considered to bear N.62°25'02"E.;

Thence S.62°25'02"W. by the present northerly side line of Union Street, 25.00 feet to a point in the present easterly side line of Fountain Street in a course bearing N.04°45'00"E., 577.9 feet in length as laid out by the County Commissioners in 1892 for the relocation of Fountain Street;

Thence N.04°45'00"E., by the present easterly side line of Fountain Street, 30.00 feet to a point; thence S.47°02'19"E., by land of Commonwealth of Massachusetts, Metropolitan District Commission, 26.88 feet to the point of ending and the beginning point first described - all as shown by the plan hereinbefore mentioned.

Containing according to said plan about 317 square feet.

Approved July 8, 1980.

Chap. 411. AN ACT RELATIVE TO THE REAL ESTATE TAX EXEMPTION OF HOUSES OF WORSHIP.

Be it enacted, etc., as follows:

SECTION 1. Clause Eleventh of section 5 of chapter 59 of the General Laws, as most recently amended by section 1 of chapter 263 of the acts of 1976, is hereby further amended by adding the following snetence:- The occasional or incidental use of such property by an organization exempt from taxation under the provisions of 26 USC Sec. 501 (c) (3) of the Federal Internal Revenue Code shall not be deemed to be an appropriation for purposes other than religious worship or instruction.

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

Approved July 8, 1980.

Chap. 412. AN ACT FURTHER REGULATING THE RECORDING OR REGISTRATION OF MUNICIPAL LIEN CERTIFICATES.

Be it enacted, etc., as follows:

Section 23 of chapter 60 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in chapter 537 of the acts of 1958, and inserting in place thereof the following sentence:- A certificate issued on or after January first, nineteen hundred and eighty-one, under this section may be filed for record or registration, as the case may be, within ninety days after its date, and if so filed shall operate to discharge the parcel of real estate specified from the liens for all taxes, assessments, or portions thereof, rates and charges which do not appear by said certificate to constitute liens thereon, except taxes, assessments, or portions thereof, rates and charges with respect to which there has been filed for record or registration evidence of a taking or a sale by the municipality or concerning which a statement has been so filed under section thirty-seven A or under any other provision of law; but a certificate issued under this section shall not affect the obligation of any person liable for the payment of any tax, assessment, rate, or charge by reason of being the assessed owner of such parcel of real estate at the time any such lien became effective.

Approved July 8, 1980.

Chap. 413. AN ACT PROHIBITING A CHANGE IN A CITY, TOWN OR DISTRICT TAX RATE AFTER REVIEW BY THE COMMISSIONER.

Be it enacted, etc., as follows:

SECTION 1. Section 23 of chapter 59 of the General Laws is hereby amended by adding the following paragraph:-

No city, town or district tax rate for any fiscal year shall be fixed by the assessors until such rate has been approved by the commissioner, and a rate shall not be approved until the commissioner determines that the deductions under this section and the overlay addition under section twenty-five are in full compliance of law and are reasonable in amount. No city, town or district tax rate for any fiscal year shall be changed after it has been approved by the commissioner and returned to the assessors.

SECTION 2. This act shall apply to tax rates fixed for the fiscal year commencing July first, nineteen hundred and eighty-one, and for subsequent fiscal years.

Approved July 8, 1980.

Chap. 414. AN ACT DIRECTING THE DEPARTMENT OF MENTAL HEALTH TO SELL TO THE TOWN OF BELCHERTOWN A PARCEL OF LAND IN SAID TOWN FOR THE PURPOSE OF CONSTRUCTING A SCHOOL AND RECREATION AREA.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of the department of mental health acting for and in behalf of the commonwealth is hereby authorized and directed to sell and convey for the consideration of one dollar to the town of Belchertown by a deed approved as to form by the attorney general, all of the right, title and interest of the commonwealth in and to a parcel of land in said town, for the purpose of constructing a school and recreation area. Said parcel consisting of about thirteen acres more or less abutting United States highway Route 202. Said commissioner shall also sell at fair market value and convey to said town by a deed approved as to form by the attorney general, all of the right, title and interest of the commonwealth in and to a second parcel of land in said town, for the purpose of constructing a school and recreation area. Said parcel consisting of about thirty acres more or less.

Said parcels of land are shown on a plan entitled, "Plan of Land in Belchertown, Massachusetts, Prepared by Almer Huntley, Jr. and Associates, Inc.," dated June 20, 1979 and bounded and described as follows:-

BEGINNING at a point on the Southerly sideline of Route 202, a 1948 State Highway layout, said point also being the Northeasterly corner of land of David L. Dzuris and Albert G. Dzuris.

THENCE, running N48°-54'-30"E a distance of 182.59 feet to a point;

THENCE, turning and running S41°-58'-44"E a distance of 22.27 feet to a point;

THENCE, turning and running Northerly and Northeasterly on a curve to the right having a radius of 1950.00 feet and an arc length of 843.03 feet to an iron pin to be set at land of The Commonwealth of Massachusetts Department of Mental Health.

THE LAST THREE (3) courses being along the Southerly sideline of Route 202, a 1948 State Highway layout.

THENCE, turning and running S10°-17'-49"W a distance of 465.24 feet to an iron pin set;

THENCE, turning and running S60°-55'-43"W a distance of 295.23 feet to an iron pin set;

THENCE, turning and running S80°-09'-14"W a distance of 115.93 feet to an iron pin set;

THENCE, turning and running S06°-36'-23"W a distance of 366.56 feet to an iron pin to be set;

THENCE, turning and running S83°-23'-37"E a distance of 539.20 feet to an iron pin to be set;

THENCE, turning and running N06°-36'-23"E a distance of 116.88 feet to an iron pin to be set;

THENCE, turning and running S89°-27'-52"E a distance of 440.52 feet to an iron pin to be set at the end of a stonewall;

THENCE, turning and running S81°-18'-02"E along the stonewall a distance of 135.34 feet to a 30" Oak tree at the corner of the stonewall at land of Mill Hollow Realty Trust.

THE LAST EIGHT (8) courses being along land of The Commonwealth of Massachusetts Department of Mental Health.

THENCE, turning and running S12°-51'-56"W a distance of 332.04 feet to an iron pin to be set;

THENCE, turning and running S08°-30'-10"W a distance of 589.65 feet to an iron pin set at the corner of a stonewall.

THE LAST TWO (2) courses being along land of Mill Hollow Realty Trust and land of Frank P. and Emma D. Loftus.

THENCE, turning and running N76°-56'-50"W a distance of 248.48 feet to an iron pin found;

THENCE, turning and running N79°-05'-50W a distance of 899.60 feet to an iron pin set;

THENCE, turning and running S12°-13'-10"W a distance of 353.69 feet to an iron pin set at the land of The Commonwealth of Massachusetts Department of Mental Health.

THE LAST THREE (3) courses being along land of Frank P. and Emma D. Loftus.

THENCE, turning and running N80°-23'-02"W a distance of 690.20 feet to an iron pin set;

THENCE, turning and running N08°-15'-29"E a distance of 607.45 feet to a concrete bound found at the Southwesterly corner of land of David L. Dzuris and Albert G. Dzuris.

THE LAST TWO (2) courses being along land of The Commonwealth of Massachusetts Department of Mental Health.

THENCE, turning and running S88°-43'-56"E a distance of 380.68 feet to a concrete bound found.

THENCE, turning and running N06°-54'-16"E a distance of 775.94 feet to the POINT of BEGINNING.

THE LAST TWO (2) courses being along land of David L. Dzuris and Albert G. Dzuris.

The above described parcel contains 43.860 Acres more or less.

SECTION 2. The metes and bounds of the parcels of land described in section one, shall be mutually agreed upon by the interested parties and described in the deeds at the time of conveyances, provided the conveyances shall not include the Belchertown State School Cemetery or the area around the blind unit, formerly known as the superintendent's house. Said conveyances shall further be subject to such conditions and restrictions as the commissioner of the department of mental health may deem advisable, including the reservation of any easement or easements deemed appropriate by said commissioner for sewer and drain purposes. Title to the aforesaid premises shall revert to the commonwealth if not utilized by the said town to construct a school and recreation area within a period of five years after the date of said conveyances, and if such conditions and restrictions as required by the commissioner are not met within the same five year period.

Approved July 8, 1980.

Chap. 415. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF WORCESTER COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Worcester county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and eighty-one.

WORCESTER COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$284,278 14

Item		Subtotal	Total
2.	For reduction of county debt.....		$885,000 00
3.	For county commissioners, salaries and expenses.....		119,854 08
	1. Personal services	$112,369 08	
	2. Contractual services	1,800 00	
	3. Supplies and materials	1,300 00	
	4. Current charges and obligations	4,120 00	
	5. Equipment	265 00	
4.	For transportation and expenses of county and acting commissioners.....		3,775 00
6.	For county treasurer, salaries and expenses.....		220,259 66
	1. Personal services	182,514 66	
	2. Contractual services	13,350 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	19,795 00	
	5. Equipment	1,600 00	
7.	For sheriff, salary and expenses.....		29,965 48
	1. Personal services	25,515 48	
	2. Contractual services	900 00	
	3. Supplies and materials	2,600 00	
	4. Current charges and obligations	950 00	
8.	For registry of deeds, salaries and expenses		
	Worcester District.....		786,103 42
	1. Personal services	678,465 92	
	2. Contractual services	38,875 00	
	3. Supplies and materials	34,675 00	
	4. Current charges and obligations	27,385 00	
	5. Equipment	6,702 50	
	Northern District.....		142,641 23
	1. Personal services	126,208 23	
	2. Contractual services	9,070 00	
	3. Supplies and materials	4,900 00	
	4. Current charges and obligations	2,263 00	
	5. Equipment	200 00	
10.	For highways, including state highways, bridges and land damages.....		638,608 26
	1. Personal services	610,335 76	
	2. Contractual services	3,447 50	
	3. Supplies and materials	12,075 00	

Item		Subtotal	Total
	4. Current charges and obligations	$4,000 00	
	5. Equipment	8,750 00	
15.	For medical examiners and commitments of insane		$100,650 00
16.	For jail and house of correction, maintenance and operation		2,845,347 88
	1. Personal services	1,903,402 88	
	2. Contractual services	330,000 00	
	3. Supplies and materials	522,700 00	
	4. Current charges and obligations	37,495 00	
	5. Equipment	49,750 00	
	6. All other	2,000 00	
18.	For court houses and registry buildings, maintenance and operation		1,140,406 90
	1. Personal services	748,632 90	
	2. Contractual services	270,965 00	
	3. Supplies and materials	109,620 00	
	4. Current charges and obligations	9,050 00	
	5. Equipment	2,139 00	
18a.	For bindery department		36,555 12
20.	For agricultural school or county cooperative extension service		359,267 76
	1. Personal services	310,075 76	
	2. Contractual services	24,387 00	
	3. Supplies and materials	15,180 00	
	4. Current charges and obligations	1,975 00	
	5. Equipment	7,650 00	
24.	For noncontributory pensions		413,107 06
25.	For contributory retirement system and supervisory expenses		620,068 60
26.	For miscellaneous and contingent expenses		266,830 33
27.	For unpaid bills of previous years		75,000 00
28.	For reserve fund		75,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		75,000 00
31.	For radio system for fire protection		1,500 00
36.	For Dutch elm disease		10,000 00
37.	For human services		237,000 00
39.	For group insurance		697,500 00
	Total amount of appropriations		$10,063,718 92

Item	Subtotal	Total
Less estimated amount available for reduction of county tax.....		$741,990 00
And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of.....		$9,321,728 92

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		
2. For reduction of county debt.....		$800,000 00

SECTION 2. The county commissioners of Worcester county are hereby authorized to approve for payment, and after such approval, the treasurer of said county is authorized to pay such sums as are necessary to implement the contracts negotiated between said county and the Service Employees International Union, Local 495 for the fiscal year ending June thirtieth, nineteen hundred and eighty.

SECTION 3. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 8, 1980

Chap. 416. AN ACT RELATIVE TO THE QUALIFICATION OF CERTAIN ASSESSORS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 797 of the acts of 1979 is hereby amended by striking out section 22 and inserting in place thereof the following section:-

Section 22. Notwithstanding any provisions of section one of chapter fifty-eight of the General Laws, as amended by section three of this act, any person who on the effective date of this act shall have been elected or appointed an assessor, assistant assessor, supervisor of assistant assessors, district director of assistant assessors in any city or town and who is continuing to perform such duties on the date the commissioner establishes the minimum standards for qualifications of assessing personnel required by said section one shall be deemed to be qualified for the purpose of said section one. In no event shall said individuals be exempt from any continuing education requirements established by the commissioner.

SECTION 2. This act shall take effect upon the acceptance of the city council in a city, the town council in a city having a town council form of government and by the board of selectmen in a town.

Approved July 8, 1980.

Chap. 417. AN ACT INCREASING THE INTEREST RATE ON CERTAIN DEFERRED AND INSTALLMENT PAYMENTS TO THE TOWN OF STOUGHTON FOR CERTAIN SEWER CONNECTIONS MADE IN SAID TOWN.

Be it enacted, etc.,as follows:

The penultimate sentence of section 6 of chapter 86 of the acts of 1911, as amended by section 3 of chapter 165 of the acts of 1954 is hereby further amended by striking out, in line 21 and in line 29, the word "five" and inserting in place thereof, in each instance, the word:- ten.

Approved July 8, 1980.

Chap. 418. AN ACT AUTHORIZING THE TOWN OF LAKEVILLE TO GRANT AN ALL ALCOHOLIC PACKAGE STORE LICENSE TO RAYMOND D. BERTRAND.

Be it enacted, etc., as follows:

Notwithstanding the provision of section seventeen of chapter one hundred and thirty-eight of the General Laws, the town of Lakeville may grant to Raymond D. Bertrand a license for the sale of all alcoholic beverages not to be drunk on the premises under the provisions of section fifteen of said chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except section seventeen.

Approved July 8, 1980.

Chap. 419. AN ACT AUTHORIZING THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF GROVELAND TO ACT AS A BOARD OF SEWER COMMISSIONERS OF SAID TOWN.

Be it enacted, etc., as follows:

Chapter 184 of the acts of 1903 is hereby amended by inserting after section 12 the following section:-

Section 12A. The board of water commissioners shall act as a board of sewer commissioners and all of the provisions of the

General Laws relative to the construction, maintenance and operation of sewers disposal systems and to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments and charges shall apply.

Approved July 8, 1980.

Chap. 420. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN LAND IN THE CITY OF GARDNER FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The department of public works, acting for and on behalf of the commonwealth, is hereby authorized and directed to acquire by eminent domain under chapter seventy-nine of the General Laws or to acquire by purchase or otherwise for public works purposes certain land in the said city of Gardner owned by Paul and Katherine Tarmasewicz, husband and wife, being the land in that said part of said city on a plan dated July 22, 1968, and recorded with Worcester district register of deeds in the county of Worcester, Book 4869, page 501 and bounded and described as follows: Beginning at the Northwesterly corner thereof at an iron pipe in the Southerly line of Chapel Street at land of Joseph Fortin, et al, said pipe being located about 362 feet, (three hundred sixty-two) Easterly of an Easterly line of an old road, Thence Southerly 83 (eighty-three) feet Easterly by Southerly line of Chapel Street 200 (Two hundred) feet to an iron pipe, Thence Southerly 7 (seven) degrees Westerly about 217.8 feet (two hundred seventeen and eight-tenths feet) to an angle iron, Thence, Northerly 83 degrees (eighty-three) Westerly 200 feet (Two hundred) to an angle iron, Thence, Northerly 7 degrees Easterly 217.8 feet (Two hundred seventeen and eight-tenths feet) to the Southerly line of Chapel street and the place of beginning.

Said property being the same premises conveyed to present owners by deed of Robert Sadowski and dated April 11, 1968 recorded with Worcester district register of deeds in Book 4842 on page 409.

Approved July 8, 1980.

Chap. 421. AN ACT AUTHORIZING THE TOWN OF WESTWOOD TO PAY A CERTAIN SUM OF MONEY TO LOUIS SADLER A FIREFIGHTER UPON HIS RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary and for the purpose of promoting the public good, the town of Westwood is hereby authorized and directed, upon the retirement of Louis Sadler, a firefighter in said town, to pay to him, a sum of money which, when added to the sum of money which he shall receive as a retirement allowance from the Norfolk county retirement system, shall be equal to the compensation which he would have received had he continued in service as a firefighter of said town at the grade held by him at the time of his retirement. Said amount shall be recomputed annually to include any increase in compensation which is authorized to others holding similar positions in the fire department of said town.

SECTION 2. Said town is further authorized to pay to Louis Sadler, upon his retirement, a sum of money which shall be equal to that amount which he has contributed into the Norfolk county retirement system, as of the date of his retirement.

SECTION 3. Said town is hereby further authorized, upon the death of Louis Sadler, to pay to his widow, Margaret E. Sadler as long as she remains unmarried, a sum of money, in addition to any allowance which said Margaret E. Sadler shall be entitled to receive from the Norfolk county retirement system, the total of which shall equal seventy-five per cent of the annual compensation which her husband would have received if he had continued in the employment of said town.

SECTION 4. The provisions of section one hundred of chapter forty-one of the General Laws shall be applicable to Louis Sadler relative to his indemnification by said town for any hospital, medical and related expenses which may be incurred by him after the date of his retirement as a result of his injuries sustained while in the performance of his duties at a fire on July thirtieth, nineteen hundred and seventy-four, in said town.

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

Approved July 9, 1980.

Chap. 422. AN ACT AUTHORIZING THE SUPERIOR COURT TO VACATE ITS JUDGMENT IN THE CASE OF FRANCIS D. WASHINGTON, CONSERVATOR OF SARAH E. LEE VS. THE COMMONWEALTH OF MASSACHUSETTS.

Be it enacted, etc., as follows:

SECTION 1. That the judgment of the superior court in the case of Francis D. Washington, conservator of Sarah E. Lee vs. commonwealth of Massachusetts may be set aside on the motion of the parties, so as to rectify an apparent injustice, satisfy a

moral obligation and serve the public good in that the commonwealth took by eminent domain the residential property owned by Sarah E. Lee, but the petition for assessment of damages arising from said taking indicated in favor of the commonwealth due to a procedural, substantive or technical error on the part of her conservator, Francis D. Washington, and that a judgment for the said Francis D. Washington, conservator of Sarah E. Lee, may enter in accordance with the award of damages as assessed by the superior court.

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

Approved July 9, 1980.

Chap. 423. AN ACT AUTHORIZING THE TOWN OF AMESBURY TO LEASE A TELEPHONE SYSTEM FOR A PERIOD NOT TO EXCEED TEN YEARS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the town of Amesbury is hereby authorized to contract for the lease of a telephone system for a period not to exceed ten years.

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

Approved July 9, 1980.

Chap. 424. AN ACT PROVIDING THAT THE ORDER IN WHICH THE NAMES OF CANDIDATES FOR THE OFFICE OF TOWN MEETING MEMBER IN THE TOWN OF MONTAGUE SHALL BE PLACED ON THE BALLOT SHALL BE DETERMINED BY LOTTERY DRAWING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 398 of the acts of 1962 is hereby amended by inserting after section 14 the following section:-

Section 14A. The town clerk, together with the board of registrars, shall arrange the names of all candidates for the office of town meeting member of each precinct to be elected for the ensuing year to be placed on the ballot by a lottery drawing.

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

Approved July 9, 1980.

Chap. 425. AN ACT AUTHORIZING CERTAIN OPEN BURNING AT THE LANDFILL SITE IN NANTUCKET COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and forty-two A of chapter two hundred and eleven of the General Laws or the provisions of any other law, rule or regulation to the contrary, products of open space land husbandry and management, including materials commonly referred to as brush, including vegetation such as tree branches, brush cane, driftwood and other forestry debris, but excluding grass, hay or leaves, may be burned at the landfill site of Nantucket county, situated off Madaket road in said town, from January first to January thirty-first, both dates inclusive; from March first to March thirty-first, both dates inclusive; from May first to May thirty-first, both dates inclusive; from July first to July thirty-first, both dates inclusive; from September first to September thirtieth, both dates inclusive; and from November first to November thirtieth, both dates inclusive; provided, however, that such burning shall be performed with the approval of the county commissioners of said county, but the supervision of any such burning may be delegated by said commissioners.

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

Approved July 9, 1980.

Chap. 426. AN ACT EXCLUDING CERTAIN FEDERAL FUNDS IN COMPUTING THE TOTAL AMOUNT AUTHORIZED TO CONSTRUCT AND EQUIP A COURTHOUSE IN THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 1 of chapter 314 of the acts of 1976, as amended by section 1 of chapter 515 of the acts of 1978, is hereby further amended by striking out the second sentence.

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

Approved July 9, 1980.

Chap. 427. AN ACT PROVIDING THAT PERSONS ELECTED TO A TOWN OFFICE BY TOWN OFFICERS ELECTED AT AN ANNUAL TOWN ELECTION IN THE TOWN OF DOVER SHALL ASSUME THAT DUTIES OF SUCH OFFICE NO LATER THAN JUNE FIRST IN THE YEAR IN WHICH SUCH PERSON WAS ELECTED.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Dover is hereby author-

ized to provide by by-law that a person elected to town office at the annual town meeting for the election of town officers shall assume the duties of such office at the conclusion of the deliberative session of such annual meeting or on June first, whichever comes first.

SECTION 2. Any action taken by the town of Dover pursuant to section one is hereby validated and confirmed to the same extent as though this act was in effect at the time of the posting of the warrant for the annual town meeting of said town held on May twelfth, nineteen hundred and eighty.

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

Approved July 9, 1980.

Chap. 428. AN ACT PROVIDING FOR AN INSTITUTIONAL LICENSE FOR CERTAIN VETERINARIAN SCHOOLS.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 56C the following section:-

Section 56D. The board shall have the authority to grant to any school of veterinary medicine located in the commonwealth an institutional license, upon the payment of an annual fee of twenty-five dollars, under which veterinarians, who are not otherwise licensed as herein provided, may practice veterinary medicine if such practice is conducted in conjunction with their full-time employment by such school. An institutional license shall be renewed yearly and shall be issued and renewed upon the determination by the board that the school meets the recording and reporting requirements contained herein and as may be further defined by rules adopted by the board pursuant to its authority under section fifty-four.

The board shall review the credentials of any person who applies to practice under an institutional license, and if such person is a graduate of a school or college of veterinary medicine accredited or approved in any state or country and is otherwise approved by the board, the board shall then register the name of such approved applicant upon its public record and notify the licensed school of such approval. A licensed school shall annually submit to the board a list of the names of persons who are practicing, or who seek to practice, under its institutional license.

An applicant aggrieved by the refusal of the board to act favorably on his credentials, or a school aggrieved by the refusal of the board to issue or renew an institutional license, shall be entitled to have a review of such action by a justice of the superior court, whose decision shall be final.

The board, after notice and hearing, may, by a vote of the majority of its membership, for any cause set forth in section fifty-nine, revoke or suspend the privilege of a veterinarian to practice under an institutional license.

Approved July 9, 1980.

Chap. 429. AN ACT INCREASING THE AGE OF ELIGIBILITY FOR CERTAIN BENEFITS TO SURVIVING CHILDREN UNDER THE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Section 12B of chapter 32 of the General Laws, as most recently amended by section 2 of chapter 793 of the acts of 1972, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If a member in service, as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three, including such a member in the uniformed division of the state police, who has not nominated a beneficiary under Option (d) of subdivision (2) of section twelve other than the spouse of such member and who has two full years of creditable service, dies and leaves a spouse to whom such member had been married for at least one year and with whom such member was living at the time of the death of such member, or who the board finds had been living apart from said member for justifiable cause other than desertion or moral turpitude on the part of such spouse, who is eligible to receive a member-survivor allowance under the provisions of said Option (d) and so elects, and if there are any surviving children of said deceased member who are under age eighteen or over said age and physically or mentally incapacitated from earning on the date of death of the member, or under age twenty-two, if a full-time student, there shall be paid to such spouse for the benefit of all such children an additional allowance of eighty dollars a month for one child plus an allowance of sixty dollars a month for each additional child subject to the provisions of paragraph (e) of section one hundred and two.

Approved July 9, 1980.

Chap. 430. AN ACT RELATIVE TO IMPORTATION OF DOGS AND CATS AND SALE OF ALL DOGS AND CATS.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by inserting after section 138 the following section:-

Section 138A. All dogs or cats brought or shipped into the commonwealth for commercial resale shall be inoculated against distemper not more than thirty nor less than seven days before entry and shall be accompanied by an official health certificate issued by an accredited veterinarian and a copy sent to the commissioner of agriculture. If such certificate is unavailable in the state of origin then a similar examination and certification shall be made within fourteen days of the arrival of the animal in the commonwealth.

An official health certificate shall mean a legible certificate or form issued by an accredited veterinarian and approved by the chief livestock official of the state or county of origin containing the names and addresses of the consignor and consignee, or in the case of examination after entry into the commonwealth the name of the consignee. The certificate or form shall also show age, sex, breed and description of each dog or cat and that the dogs are free from visual evidence of communicable disease such as kennel cough, Infectious Tracheobronchitis, canine distemper, external and intestinal parasites, including coccidiosis, and that cats are free from external parasites, including ear mites, and intestinal parasites, distemper, feline panleukipenia, and feline respiratory infections and feline distemper.

Dogs or cats purchased within the commonwealth for resale by commercial establishments or pet shops shall be accompanied by a health certificate issued by an accredited veterinarian. The certificate shall show age, sex, breed, and description of each dog or cat and that the dogs are free from visual evidence of communicable diseases such as kennel cough, Infectious Tracheobronchitis, canine distemper, external and internal parasites, including coccidiosis, and that cats are free from external parasites, including ear mites, intestinal parasites, and feline respiratory infections and feline distemper.

No commercial establishment, pet shop, firm or corporation shall import into the commonwealth for sale or resale in the commonwealth any cat or dog less than eight weeks of age.

All dogs or cats imported for resale shall be held in isolation by the importer for a period of five days prior to offering for sale.

All dogs or cats sold in the state by a commercial establishment, pet shop, firm or corporation shall be accompanied by a health record indicating dates and types of vaccine administered.

Whoever is convicted of a violation of any of these sections may be punished by a fine of not less than fifty nor more than one hundred dollars for each such offense. In addition thereto or in lieu thereof, the commissioner of agriculture may, after notice and hearing, revoke or suspend a pet shop, kennel, and

boarding kennel license providing any person, firm or corporation maintaining such pet shop, kennel and boarding kennel violates any of these regulations.

Any person, firm or corporation aggrieved by an order under this section may, by petition, appeal within thirty days to the superior court where said person resides, or where the firm or corporation is located. Such person shall, in substance, state the findings by the commissioner and the grounds of appeal and said court shall consider said proceedings de novo and the parties thereto shall have right of exception and appeal.

Nothing in this act shall be construed to prohibit the temporary importation of dogs for racing or field trials or the temporary importation of dogs or cats for show purposes, nor shall it prohibit the importation of dogs and cats as pets by individual owners.

Approved July 9, 1980.

Chap. 431. AN ACT ALLOWING A CREDIT UNION TO BE MEMBERS OF CERTAIN CORPORATE CENTRAL CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 21 of chapter 171 of the General Laws, as most recently amended by chapter 38 of the acts of 1979, is hereby further amended by adding the following two paragraphs:-

(s) In the shares of any federally chartered corporate central credit union as defined in section thirty-six; provided, however, that not more than twenty-five per cent of the assets of a credit union shall be invested in such shares.

(t) In shares of the National Credit Union Administration Central Liquidity Facility; provided, however, that such investment shall not exceed the amount necessary to become a member of such facility.

SECTION 2. The third paragraph of said section 21 of said chapter 171, as most recently amended by chapter 309 of the acts of 1979, is hereby further amended by adding the following paragraph:-

(o) In the shares in a federally chartered corporate central credit union.

SECTION 3. Said chapter 171 is hereby further amended by adding the following section:-

Section 36. A credit union may, with the approval of the commissioner, become a regular member of the National Credit Union Administration Central Liquidity Facility, established by 12 USC 1795b.

A credit union may, with the approval of the commissioner become a member of any federally chartered corporate central credit union which has been approved to act as an agent of the National Credit Union Administration Central Liquidity Facility.

For the purposes of this section and section twenty-one, a corporate central credit union shall mean a federally chartered credit union primarily serving other credit unions. A credit union is primarily serving other credit unions when the total dollar amount of the shares and deposits received from other credit unions plus loans to other credit unions exceeds fifty per cent of the total dollar amount of all such shares, such deposits, and such loans.

Approved July 9, 1980.

Chap. 432. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF HAMPDEN 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 ending June thirtieth, nineteen hundred and eighty-one.

HAMPDEN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$817,646 42
2.	For reduction of county debt.....		403,340 00
3.	For county commissioners, salaries and expenses		164,461 01
	1. Personal services	$150,736 01	
	2. Contractual services	5,100 00	
	3. Supplies and materials	3,950 00	
	4. Current charges and obligations	1,675 00	
	5. Equipment	3,000 00	
4.	For transportation and expenses of county and acting commissioners.....		500 00
6.	For county treasurer, salaries and expenses		126,611 80
	1. Personal services	112,771 80	
	2. Contractual services	6,200 00	
	3. Supplies and material	3,300 00	

Item		Subtotal	Total
4.	Current charges and obligations	$2,965 00	
5.	Equipment	1,375 00	
7.	For sheriff, salary and expenses.....		$30,066 56
1.	Personal services	29,441 56	
2.	Contractual services	400 00	
4.	Current charges and obligations	225 00	
8.	For registry of deeds, salaries and expenses		596,619 17
1.	Personal services	519,110 17	
2.	Contractual services	11,760 00	
3.	Supplies and materials	35,700 00	
4.	Current charges and obligations	20,802 00	
5.	Equipment	9,247 00	
10.	For highways, including state highways, bridges and land damages.....		17,495 52
1.	Personal services	15,470 52	
2.	Contractual services	700 00	
3.	Supplies and materials	325 00	
6.	All other	1,000 00	
15.	For medical examiners and commitments of insane.....		135,000 00
16.	For jail and house of correction, maintenance and operation.....		2,394,660 49
1.	Personal services	1,567,017 49	
2.	Contractual services	325,639 00	
3.	Supplies and materials	372,750 00	
4.	Current charges and obligations	31,250 00	
5.	Equipment	45,504 00	
6.	All other	52,500 00	
17.	For training school.....		12,751 95
1.	Personal services	7,131 95	
2.	Contractual services	600 00	
3.	Supplies and materials	5,000 00	
4.	Current charges and obligations	20 00	
18.	For court houses and registry buildings, maintenance and operation.....		1,488,728 43
1.	Personal services	1,087,558 43	
2.	Contractual services	362,370 00	
3.	Supplies and materials	33,300 00	
4.	Current charges and obligations	5,500 00	

Item		Subtotal	Total
20.	For agricultural school or county cooperative extension service		$423,631 16
	1. Personal services	$394,021 16	
	2. Contractual services	20,000 00	
	3. Supplies and materials	6,225 00	
	4. Current charges and obligations	685 00	
	5. Equipment	2,500 00	
21.	For state reservation, maintenance and operation (Mount Tom)		107,436 89
24.	For noncontributory pensions		172,637 49
25.	For contributory retirement system and supervisory expenses		476,090 00
26.	For miscellaneous and contingent expenses		147,878 94
27.	For unpaid bills of previous years		20,000 00
28.	For reserve fund		75,000 00
28f.	For special reserve for jail		468,569 36
28g.	For special reserve for state inmate program		40,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		15,000 00
31.	For radio system for fire protection		8,815 00
37.	For human services		11,508 00
39.	For group insurance		376,694 91
	Total amount of appropriations		$8,530,071 90
	Less estimated amount available for reduction of county tax		635,000 00
	And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$7,895,071 90

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		
2.	For reduction of county debt	$900,000 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 9, 1980.

Chap. 433. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF PLYMOUTH COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Plymouth county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and eighty-one.

PLYMOUTH COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$120,806 75
2.	For reduction of county debt.....		365,000 00
3.	For county commissioners, salaries and expenses.....		128,630 76
	1. Personal services	$124,680 76	
	2. Contractual services	1,800 00	
	3. Supplies and materials	1,650 00	
	4. Current charges and obligations	500 00	
4.	For transportation and expenses of county and acting commissioners.....		1,200 00
5.	For centralized purchasing department, salaries and expenses.....		37,134 10
	2. Contractual services	8,800 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	10,700 00	
	5. Equipment	14,634 10	
6.	For county treasurer, salaries and expenses		95,658 23
	1. Personal services	85,462 23	
	2. Contractual services	4,150 00	
	3. Supplies and materials	5,200 00	
	4. Current charges and obligations	846 00	
7.	For sheriff, salary and expenses.....		28,946 48
	1. Personal services	27,125 48	
	2. Contractual services	700 00	
	3. Supplies and materials	976 00	
	4. Current charges and obligations	145 00	
8.	For registry of deeds, salaries and expenses		778,960 82
	1. Personal services	620,240 50	
	2. Contractual services	56,309 00	
	3. Supplies and materials	34,000 00	
	4. Current charges and obligations	32,492 32	

Item		Subtotal	Total
5.	Equipment	$35,919 00	
10.	For highways, including state highways, bridges and land damages.....		$61,625 00
2.	Contractual services	59,925 00	
3.	Supplies and materials	700 00	
4.	Current charges and obligations	1,000 00	
15.	For medical examiners and commitments of insane.....		75,700 00
16.	For jail and house of correction, maintenance and operation.....		1,523,455 67
1.	Personal services	1,079,573 17	
2.	Contractual services	108,300 00	
3.	Supplies and materials	310,100 00	
4.	Current charges and obligations	13,600 00	
5.	Equipment	11,882 50	
18.	For court houses and registry buildings, maintenance and operation.....		773,203 49
1.	Personal services	402,708 49	
2.	Contractual services	160,170 00	
3.	Supplies and materials	205,525 00	
4.	Current charges and obligations	3,500 00	
5.	Equipment	1,300 00	
20.	For agricultural school or county cooperative extension service.....		247,448 96
1.	Personal services	214,048 96	
2.	Contractual services	20,150 00	
3.	Supplies and materials	9,875 00	
4.	Current charges and obligations	3,375 00	
24.	For noncontributory pensions.....		115,000 00
25.	For contributory retirement system and supervisory expenses.....		285,766 85
26.	For miscellaneous and contingent expenes...		89,006 70
27.	For unpaid bills of previous years.....		158,266 90
28.	For reserve fund.....		75,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		112,500 00
31.	For police radio system.....		20,900 00
31a.	For medical services radio system.....		7,200 00
33.	For police training school and bureau of criminal investigation.....		140,614 13

Item		Subtotal	Total
37.	For human services		12,750 00
38.	For county airplane		5,555 00
39.	For group insurance		300,000 00
41.	For firefighters training school		4,300 00
	Total amount of appropriations		$5,564,629 84
	Less estimated amount available for reduction of county tax		991,760 00
	And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$4,572,869 84

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		
2.	For reduction of county debt	$360,000 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 9, 1980.

Chap. 434. AN ACT REQUIRING CERTAIN PERSONS TO REPORT CASES OF CHILD ABUSE OR NEGLECT.

Be it enacted, etc., as follows:

Section 51A of chapter 119 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 312 of the acts of 1979, and inserting in place thereof the following paragraph:-

Any physician, medical intern, hospital personnel engaged in the examination, care or treatment of persons, medical examiner, dentist, nurse, chiropractor, podiatrist, osteopath, public or private school teacher, educational administrator, guidance or family counselor, day care worker, probation officer, social worker, foster parent or policeman, who, in his professional capacity shall have reasonable cause to believe that a child under the age of eighteen years is suffering serious physical or emotional injury resulting from abuse inflicted upon him including sexual abuse, or from neglect, including malnutrition, or who is determined to be physically dependent upon an addictive drug at birth, shall immediately report such condition to the department by oral communication and by making a written report within a forty-eight hours after such oral communication; provided, however, that whenever such person so required to report is a member of the staff of a medical or other public or private institution, school or facility, he shall immediately either notify

the department or notify the person in charge of such institution, school or facility, or that person's designated agent, whereupon such person in charge or his said agent shall then become responsible to make the report in the manner required by this section. 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 July 9, 1980.

Chap. 435. AN ACT AUTHORIZING THE TOWN OF STOUGHTON TO AMEND ITS CHARTER BY REDUCING THE MEMBERSHIP OF THE BOARD OF SELECTMEN FROM SEVEN TO FIVE.

Be it enacted, etc., as follows:

SECTION 1. The town of Stoughton is hereby authorized to amend its charter by striking out section 3-1 and inserting in place thereof the following section:-

Section 3-1. ELECTIONS, TERMS, COMPENSATION. The board of selectmen of the town shall consist of five members all of whom shall be elected at large for a term of three years. At the first regular April election of selectmen under this revision to the charter the two candidates receiving the greatest number of votes shall be in office for a term of three years, the two candidates receiving the next greatest number of votes shall be in office for a term of two years, and the one receiving the fifth highest number of votes shall be in office for a term of one year. Selectmen shall then be elected as the terms of their office expire for a term of three years.

The selectmen shall serve until their successors are elected and qualified and shall receive an annual compensation as determined by a vote of town meeting.

If, unless as the result of a recall election, a vacancy or vacancies occur in the membership of the selectmen, the remaining members shall call a special town election to fill the vacancy or vacancies for the unexpired term or terms, unless if a vacancy or vacancies occur with less than eight months to the annual election, and if there are at least four selectmen remaining in office, the vacancy or vacancies shall remain unfilled until such annual election. A vacancy resulting from a recall election shall be filled as hereinafter provided in this charter.

SECTION 2. This act shall be submitted to the registered voters of the town of Stoughton at any annual or special town election. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question, which shall be placed, in case of a special meeting, upon the ballot to be used at said

meeting, or, in the case of an annual meeting, upon the official ballot to be used for the election of town officers: "Shall an act passed by the General Court in the year nineteen hundred and eighty, entitled 'An Act authorizing the Town of Stoughton to amend its charter by reducing the membership of the Board of Selectmen from seven to five', be accepted by the town?" If a majority of the votes cast in answer to said question is in the affirmative this act shall thereupon take effect, but not otherwise.

Approved July 9, 1980.

Chap. 436. AN ACT TO INCREASE THE PENALTIES FOR MANUFACTURE, DISTRIBUTION AND DISPENSING OF CLASS A AND CLASS B CONTROLLED SUBSTANCES, AND TO LIMIT PAROLE ELIGIBILITY FOR CERTAIN DRUG RELATED VIOLATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to immediately increase the penalties for the manufacture, distribution and dispensing of certain controlled substances, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Class A of section 31 of chapter 94C of the General Laws, as most recently amended by chapter 824 of the acts of 1977, is hereby further amended by adding the following paragraph:-

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of:

(1) Lysergic acid

(2) Lysergic acid amide

SECTION 2. Paragraph (a) of Class C of said section 31 of said chapter 94C, as appearing in section one of chapter 1071 of the acts of 1971, is hereby amended by striking out clauses (1) and (9) inclusive, and inserting in place thereof the following seven clauses:-

(1) Chorhexadol

(2) Diazepam

(3) Glutethimide

(4) Methyprylon

(5) Sulfondiethylmethane

(6) Sulfonethylmethane

(7) Sulfonmethane

SECTION 3. Paragraph (e) of Class C of said section 31 of said chapter 94C, as most recently amended by chapter 824 of the acts of 1977, is hereby further amended by adding at the end thereof, the following:-

(18) Diazepam

(19) Chlordiazepoxide.

SECTION 4. Chapter 94C of the General Laws is hereby amended by striking out section 32, as so appearing, and inserting in place thereof the following nine sections:-

Section 32. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute or dispense a controlled substance in Class A of section thirty-one shall be punished by a term of imprisonment in the state prison for not less than one year and not more than ten years, or by a fine of not less than $1,000 and not more than $10,000, or both. Any person convicted of violating this subdivision shall be punished by a mandatory minimum one year term of imprisonment.

(b) A person convicted of violating this section after one or more prior convictions of this offense or of any offense of any other jurisdiction, federal, state or territorial, which is the same as or necessarily includes the elements of said section, shall, upon conviction of a violation of said section, be punished by a term of imprisonment in the state prison for not less than five years and not more than fifteen years. Any person convicted of violating this subdivision shall be punished by a mandatory minimum term of imprisonment of five years in the state prison. A fine of not less than $2,500 and not more than $25,000 may also be imposed, but not in lieu of the mandatory term of imprisonment, as authorized herein.

Section 32A. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute or dispense a controlled substance in Class B of section thirty-one shall be punished by imprisonment in the state prison for not less than one, not more than ten years, or by a fine of not less than $1,000 and not more than $10,000, or both.

(b) A person convicted of violating this section after one or more prior convictions of this offense or of any offense of any other jurisdictional, federal, state or territorial, which is the same as or necessarily includes the elements of said section, shall, upon conviction of a violation of said section, be punished by a mandatory minimum term of imprisonment in the state prison for three years. A fine of not less than $2,500 and not more than $25,000 may also be imposed, but not in lieu of the mandatory term of imprisonment, as authorized herein.

Section 32B. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to

manufacture, distribute, or dispense a controlled substance in Class C of section thirty-one, shall be imprisoned for not less than one and one-half and not more than three years in the state prison, or by a fine of not less than $500 and not more than $5,000, or both.

(b) A person convicted of violating this section after one or more prior convictions of this offense or of any offense of any other jurisdiction, federal, state or territorial, which is the same as or necessarily includes the elements of said section, shall, upon conviction of a violation of said section, be punished by a mandatory minimum term of imprisonment in the state prison for two years. A fine of not less than $1,000 and not more than $10,000 may also be imposed, but not in lieu of a term of the mandatory minimum term of imprisonment, as authorized herein.

Section 32C. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or cultivates, or possesses with intent to manufacture, distribute, dispense or cultivate a controlled substance in Class D of section thirty-one shall be imprisoned for not less than one year and not more than two years in jail or house of correction, or by a fine of not less than $500 and not more than $5,000, or both.

(b) A person convicted of violating this section after one or more prior convictions of this offense or of any offense of any other jurisdiction, federal, state or territorial, which is the same as or necessarily includes the elements of said section, shall, upon conviction of a violation of said section, be punished by a term of imprisonment of two and one-half years in jail or house of correction, or by a fine of not less than $1,000 and not more than $10,000.

Section 32D. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute or dispense a controlled substance in Class E of section thirty-one shall be imprisoned for nine months or by a fine of not less than $250 and not more than $2,500, or both.

(b) Any person convicted of violating this section after one or more prior convictions of this offense or of any offense of any other jurisdiction, federal, state, or territorial, which is the same as or necessarily includes the elements of said section, shall be punished by a term of imprisonment in jail or the house of correction for one and one-half years or by a fine of not less than $500 and not more than $5,000.

Section 32E. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or cultivates, or possesses with intent to manufacture, distribute, dispense, or cultivate, or brings into this state in excess of fifty pounds of marihuana or any mixture containing marihuana, shall be guilty of trafficking in marihuana and shall be punished by imprisonment for not less

than one and not more than ten years or by a fine of not less than $2,500. If the quantity of marihuana involved is:

1. 50 pounds or more, but less than 100 pounds, such person shall be imprisoned for a mandatory term of one year in jail or the house of correction. A fine of not less than $500 and not more than $10,000 may also be imposed, but not in lieu of a mandatory term of imprisonment;

2. 100 pounds or more, but less than 2,000 pounds, such person shall be imprisoned for a mandatory term of three years in the state prison. A fine of not less than $2,500 and not more than $25,000 may also be imposed, but not in lieu of a mandatory term of imprisonment;

3. 2,000 pounds or more, but less than 10,000 pounds, such person shall be imprisoned for a mandatory term of five years in the state prison. A fine of not less than $5,000 and not more than $50,000 may also be imposed, but not in lieu of a term of a mandatory term of imprisonment;

4. 10,000 pounds or more, such person shall be imprisoned for a mandatory term of ten years in the state prison. A fine of not less than $20,000 and not more than $200,000 may also be imposed, but not in lieu of a mandatory term of imprisonment.

(b) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute, dispense, or brings into this state 28 grams or more of cocaine or any mixture containing cocaine, shall be guilty of trafficking in cocaine and shall be imprisoned for not less than three years and not more than ten years in the state prison. If the quantity is:

1. 28 grams or more, but less than 100 grams, such person shall be imprisoned for a mandatory term of three years in the state prison. A fine of not less than $2,500 and not more than $25,000 may also be imposed but not in lieu of the mandatory term of imprisonment, as so authorized;

2. 100 grams or more, but less than 200 grams, such person shall be imprisoned for a mandatory term of five years in the state prison. A fine of not less than $5,000 and not more than $50,000 may also be imposed but not in lieu of the mandatory term of imprisonment, as so authorized;

3. 200 grams or more, such person shall be imprisoned for a mandatory term of ten years in the state prison. A fine of not less than $2,500 and not more than $200,000 may also be imposed but not in lieu of the mandatory term of imprisonment, as so authorized.

(c) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute, dispense or brings into this state in excess of 28 grams of any morphine, opium, or any salt, isomer, or salt of an isomer thereof, including heroin, or 28 grams or more of any

mixture containing any such substance, shall be guilty of trafficking in heroin and shall be imprisoned for not less than five years and not more than fifteen years in the state prison. If the quantity is:

1. 28 grams or more, but less than 100 grams, such person shall be imprisoned for a mandatory term of five years in the state prison. A fine of not less than $5,000 and not more than $50,000 may also be imposed, but not in lieu of the mandatory term of imprisonment, as so authorized;

2. 100 grams or more, but less than 200 grams, such person shall be imprisoned for a mandatory term of ten years in the state prison. A fine of not less than $10,000 and not more than $100,000 may also be imposed, but not in lieu of the mandatory term of imprisonment;

3. 200 grams or more, such person shall be imprisoned for a mandatory term of fifteen years in the state prison. A fine of not less than $50,000 and not more than $500,000 may also be imposed, but not in lieu of the mandatory term of imprisonment, as so authorized.

(d) A person convicted of a second or subsequent offense of violating the provisions of this section, shall upon said conviction, be subject to an additional term of not less than three and not more than five years to be served in addition and consecutive to the punishment prescribed for the crime of which he has been committed.

Section 32F. (a) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute, or dispense a controlled substance in Class A of section thirty-one to a person under the age of eighteen years shall be imprisoned for a mandatory minimum term of five years in the state prison. A fine of not less than $1,000 and not more than $25,000 may also be imposed but not in lieu of the mandatory term of imprisonment, as so authorized.

(b) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute, or dispense a controlled substance in Class B of section thirty-one to a person under the age of eighteen years shall be imprisoned for a mandatory minimum term of three years in the state prison. A fine of not less than $1,000 and not more than $25,000 may also be imposed but not in lieu of the mandatory term of imprisonment, as so authorized.

(c) Any person who knowingly or intentionally manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute, or dispense a controlled substance in Class C of section thirty-one to a person under the age of eighteen years shall be imprisoned for a mandatory minimum term of two years in the state prison. A fine of not less than $1,000 and not more than $25,000 may also be imposed, but not in lieu of the mandatory term of imprisonment, as so authorized.

Section 32G. Any person who knowingly or intentionally creates, distributes, dispenses or possesses with intent to distribute or dispense a counterfeit substance, knowing said substance to be counterfeit, shall be punished by imprisonment in jail or the house of correction for one year or by a fine of not less than $250 and not more than $2,500, or both.

Section 32H. A prosecution commenced under sections 32(b), 32A(b), 32B(b), 32D, 32E, or 32F shall not be placed on file or continued without a finding, nor shall any sentence of imprisonment imposed upon any person pursuant to said sections be suspended, reduced, or a term of probation served until the defendant shall have served the mandatory term of imprisonment as authorized in said sections.

A person convicted of violating the provisions of said sections shall not be eligible for parole, furlough, or work release; provided, however, that the commissioner of correction may, on the recommendation of warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institutions.

SECTION 5. Section 47 of chapter 123 of the General Laws, as most recently amended by sections 3 through 7, inclusive, of chapter 197 of the acts of 1975, is hereby further amended by adding the following sentence at the end thereof:-

The provisions of this section shall not apply to a person charged with violating sections 32 through 32G of chapter 94C of the General Laws.

Approved July 10, 1980.

Chap. 437. AN ACT PROVIDING FOR THE FUNDING OF IMPROVEMENTS TO THE ASSABET RIVER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the funding of improvements to the Assabet river, therefore 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 798 of the acts of 1979 is hereby amended by inserting after item 2270-8805 the following item:-

2270-8806 For improvement to the Assabet river, including

dredging of the river, construction of a dike, containment of sludge and improvements to the leaching fields..... $200,000

SECTION 2. Said section 2 of said chapter 798 is hereby further amended by inserting after item 7310-8801 the following item:-

7310-8802) Item 7310-8785 of section three of chapter nine hun-
7310-8785 dred and twenty of the acts of nineteen hundred and seventy-seven is hereby amended by inserting after the word "halls" in line two, the following:- including office space and the cost of furnishings and equipment.

Approved July 10, 1980.

Chap. 438. AN ACT RELATIVE TO THE METHOD OF PAYMENT BY THE TOWN OF GRANVILLE FOR THE USE OF THE WATER WORKS SYSTEM OF THE CITY OF SPRINGFIELD BY SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Granville, acting through its board of selectmen and town treasurer, and the city of Springfield, acting through its board of water commissioners with the approval of its mayor, may provide for the payment of any abatements due the board of water commissioners of said city for the years of nineteen hundred and seventy-three, nineteen hundred and seventy-eight and nineteen hundred and seventy-nine by agreement as to the total amount due and payable by said town to said water commission for each year in which an abatement is claimed and payable, and by agreeing to credit such monies due and payable on any abatement to the payment of all or part of future taxes payable by said city in said town. Any such agreement shall be approved by the commissioner of revenue and upon such approval shall be binding upon said city and said town until expiration thereof. All such credits shall be treated as timely payment of taxes owed in the credited amount.

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

Approved July 10, 1980.

Chap. 439. AN ACT ESTABLISHING THE BERKSHIRE COUNTY REGIONAL HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. There is hereby created in Berkshire county, hereinafter referred to as the county, a public body politic and corporate to be known as the Berkshire County Regional Housing

Authority, hereinafter referred to as the Authority. The Authority shall be managed, controlled and governed by eleven members, six of whom shall constitute a quorum. Nine members shall be appointed by the county commissioners of Berkshire county; provided, that not more than one of the members shall be chosen from any one city or town. Three members shall be appointed for an initial term of one year, two members shall be appointed for an initial term of two years, two members shall be appointed for an initial term of four years, two members shall be appointed for an initial term of five years and two members shall be appointed by the department of community affairs, hereinafter referred to as the department, for an initial term of three years, their successors to be appointed in the same manner and by the same body for terms of five years from the expiration of the terms of the original appointees.

Membership in the Authority shall be restricted to residents of Berkshire county who shall serve until the qualification of their respective successors unless sooner removed.

Members may be removed or suspended by the county commissioners in the same manner as removal by the city council or board of selectmen in accordance with the provisions of section six of chapter one hundred and twenty-one B of the General Laws. A member of the Authority who ceases to be a resident of the county shall be removed upon the date of his change of residence by operation of law.

The clerk of the county commissioners for Berkshire county shall, as soon as possible after the event occurs, file a certificate with the department and a duplicate certificate with the state secretary, of any appointment, resignation or removal of a member of the Authority. If the state secretary shall find that the Authority has been organized and the members thereof appointed according to law, he shall issue to it a certificate of organization, and such certificate shall be conclusive evidence of the lawful organization of the Authority and of appointment of the members thereof.

SECTION 2. Notwithstanding the provisions of section three A of chapter one hundred and twenty-one B of the General Laws, and except as may otherwise be provided herein, the Authority shall be deemed to be, and within every city and town in the county not having a local housing authority, shall have the rights, powers, and obligations of a housing authority organized under the provisions of said chapter one hundred and twenty-one B. Every city and town in the county shall have the same rights, powers, and obligations with respect to projects and other activities of the Authority in such town as are provided in said chapter one hundred and twenty-one B for a city or town in which a housing authority has been created.

The Authority shall not operate within any city or town having a local housing authority except at the request of such housing authority, in which case the scope of operations shall be as mutually agreed upon by the two authorities.

The Authority shall annually make a report of its activities, receipts, and expenditures to the county commissioners, to the department of community affairs, to the state auditor, and to the selectmen and housing authority, if any, of each of the cities and towns in the county, in accordance with the provisions of section twenty-nine of said chapter one hundred and twenty-one B.

SECTION 3. Prior to taking, purchasing, or otherwise acquiring the fee in any real property, the Authority shall submit a resolution authorizing such acquisition to the board of selectmen of the town within which the property is located. No such taking, purchase or acquisition shall be completed until thirty calendar days have elapsed following the approval of such resolution by the selectmen, or unless approved by vote of the town meeting as provided below. Upon the expiration of thirty calendar days from the date of submittal without either approval or disapproval by the selectmen the resolution shall be deemed approved. The selectmen shall include in their consideration of each such resolution the housing needs, the consistency of the proposed action with local plans, and the health, safety, welfare and convenience of all the persons residing in the city or town.

If, prior to the expiration of thirty calendar days following approval or disapproval of such a resolution by the board of selectmen, the town clerk certifies receipt of written requests from a sufficient number of voters, as specified in section ten of chapter thirty-nine of the General Laws, that an article to approve the proposed purchase, taking or acquisition be placed on the warrant for a town meeting to be held within sixty days of said submission, the selectmen shall call such town meeting and no taking, purchase, or acquisition of fee in real property shall be made except following an affirmative vote of the town meeting to approve such action.

The provisions of section thirty-nine of chapter one hundred and twenty-one B of the General Laws, limiting the powers of a local housing authority to erect or to contract for financial assistance for the construction of new projects for the housing of elderly persons shall not apply to any housing project erected by the Authority.

SECTION 4. For the purpose of defraying costs and expenses of the Authority as provided in section nineteen of said chapter one hundred and twenty-one B, the county treasurer may pay such sums to the Authority as may be appropriated therefor, and shall be repaid such sums in the manner provided in said section nineteen.

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

Approved July 10, 1980.

Chap. 440. AN ACT RELATIVE TO THE FUNDING OF SALARIES PAYABLE DURING THE MONTHS OF JULY AND AUGUST TO TEACHERS AND OTHER PROFESSIONAL EMPLOYEES OF THE BLACKSTONE-MILLVILLE REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the school committee of the Blackstone-Millville Regional School District may exclude from its budget for the fiscal year ending June thirtieth, nineteen hundred and eighty the estimated amounts earned by teachers or any other professional employees of the school department for the school year ending on June thirtieth, nineteen hundred and eighty which are payable during the months of July and August of the year nineteen hundred and eighty. Said school committee shall budget for the fiscal year commencing July first, nineteen hundred and eighty, one-half of the amounts necessary to make payments during the months of July and August, of the year nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty, and for the fiscal year commencing July first, nineteen hundred and eighty-one, the full amounts necessary to make payments during the months of July and August, nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty-two, and such amount shall be subject to the provisions of section thirty-four of chapter seventy-one of the General Laws.

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

Approved July 10, 1980.

Chap. 441. AN ACT RELATIVE TO A BETTERMENT DISTRICT IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 751 of the acts of 1979 is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. The city of Newton is hereby authorized to recover all or any portion of the acquisition cost of the property described in section one by means of assessing a betterment pursuant to the provisions of chapter eighty of the General Laws;

provided, however, that the area to be assessed such betterments shall not include parcels located outside the area described as follows:-

Farlow Road, south side, from Waverly Avenue to Huntington Road, street numbers 25-55 inclusive;

Kenrick Street, north side, from Waverly Avenue to Kenrick Terrace, street numbers 287-337 inclusive;

Kenrick Street, south side, from Waverly Avenue to Boston boundary line, street numbers 218-394 inclusive;

Kenrick Terrace, both sides, from Kenrick Street to Crescent Street, street numbers 8, 14, and 20;

Dorr Road, both sides, entire length, street numbers 18-31 inclusive;

Valley Spring Road, both sides, entire length, street numbers 3-50 inclusive;

Magnolia Avenue, both sides, entire length, street numbers 3-36 inclusive;

Eliot Memorial Road, both sides, entire length, street numbers 14-60 inclusive;

Kenilworth Street, both sides, from Ivanhoe Street to Chestnut Hill Country Club, street numbers 45-82 inclusive;

Ivanhoe Street, easterly side, from Kenilworth Street to Montrose Street, street numbers 6-36 inclusive;

Philmore Road, both sides, entire length, street numbers 11 to 49, inclusive;

Montrose Street, both sides, from Ivanhoe Street to Chestnut Hill Country Club, street numbers 55, 63, 69, 77, 81, 89, 95, 42, 48, 56, 66;

Woodchester Drive, north side, from 90 Woodchester Drive to Algonquin Road, street numbers 90-154 inclusive;

Woodchester Drive, south side, from Woodlawn Drive to Algonquin Road, street numbers 125-147 inclusive;

Manet Circle, both sides, entire length, street numbers 7-21 inclusive;

Waban Hill Road North, both sides, from Manet Circle to Waban Hill Road, street numbers

Commonwealth Avenue, north side, from Algonquin Road to Boston boundary line, street numbers 53-27 inclusive;

Algonquin Road, north side, from Woodchester Drive to 27 Algonquin Road, street numbers 27-149;

Algonquin Road, south side, from Woodchester Drive to 40 Algonquin Road, street numbers 40-146 inclusive.

Undine Road, Boston, Newton Assessors' designation, Section 63, Block 1, Lot 1.

The betterment assessed for each parcel abutting the property described in section one shall not exceed an assessment of four thousand dollars per parcel; and the betterment assessed for each parcel not abutting said property but included within the

area set forth in this section shall not exceed one thousand five hundred dollars per parcel.

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

Approved July 10, 1980.

Chap. 442. AN ACT RELATIVE TO THE FUNDING OF SALARIES PAYABLE DURING THE MONTHS OF JULY AND AUGUST TO TEACHERS AND OTHER PROFESSIONAL EMPLOYEES OF THE SCHOOL DEPARTMENT IN THE TOWN OF BLACKSTONE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the school committee of the town of Blackstone may exclude from its budget for the fiscal year ending June thirtieth, nineteen hundred and eighty the estimated amounts earned by teachers or any other professional employees of the school department of said town for the school year ending on June thirtieth, nineteen hundred and eighty, which are actually payable during the months of July and August of the year nineteen hundred and eighty. Said school committee shall budget for the fiscal year commencing on July first, nineteen hundred and eighty, one-half of the amounts necessary to make payments during the months of July and August, nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty, and for the fiscal year commencing July first, nineteen hundred and eighty-one, the full amounts necessary to make payments during the months July and August, nineteen hundred and eighty-one, of monies earned by teachers and any other professional employees for the school year ending June thirtieth, nineteen hundred and eighty-two, and such amount shall be subject to the provisions of section thirty-four of chapter seventy-one of the General Laws.

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

Approved July 10, 1980.

Chap. 443. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO JAMES SOLTIS.

Be it enacted, etc., as follows:

SECTION 1. The town of Mashpee is hereby authorized to appropriate the sum of four hundred dollars and after such appropriation, the treasurer of said town is hereby authorized to pay such sum to James Soltis for loss incurred due to the theft of his tools from town property.

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

Approved July 10, 1980.

Chap. 444. AN ACT PROVIDING FOR THE DISTRIBUTION OF COMMERCIAL FISHERMEN PERMITS FOR THE TAKING OF LOBSTERS IN COASTAL WATERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for the distribution of commercial fisherman permits for the taking of lobsters in coastal waters, therefore, 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 130 of the General Laws, as appearing in section 1 of chapter 598 of the acts of 1941, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Licenses, permits and certificates of registration issued by the director shall not except as otherwise provided in this chapter be transferable and shall be produced for examination upon demand of any authorized person.

SECTION 2. Said chapter 130 is hereby further amended by striking out section 38B, as amended by chapter 729 of the acts of 1975, and inserting in place thereof the following section:-

Section 38B. During the permit renewal period of December first to March first of each year, the director shall renew an existing commercial fishermen permit for the taking of lobsters in coastal waters held by any person during the previous year. From January first to March first, nineteen hundred and eighty-one, new applicants may apply for a commercial fishermen permit for the taking of lobsters in coastal waters on forms to be supplied by the director. All such new applications shall be made by registered mail only. The director shall review and act upon each new application in the order of its receipt by the division. The names of those new applicants, determined by the director to be experienced and qualified to enter the coastal lobster fishery, shall be placed by random selection on a list. All other applicants determined not to be experienced and qualified to enter the coastal lobster fishery shall thereafter be placed on said list by random selection. Said list shall be maintained by the director on a continuing basis, and updated as necessary, filed with the state secretary, sent to the clerk of each coastal city and town and made available to the public upon request. The director may issue no more than one hundred commercial fishermen permits for the taking of lobsters in coastal waters for

the calendar year nineteen hundred and eighty-one, nor more than eighty such permits during any calendar year thereafter, to those persons experienced and qualified to enter the coastal lobster fishery. Experience and qualification to enter the coastal lobster fishery as used in this section shall be based upon the following criteria: (1) Six months of full time experience in the commercial lobster fishery, or twelve months full time experience in other commercial fisheries or a combination thereof and (2) commitment to participate in the coastal commercial lobster fishery.

The director may issue up to thirty permits in nineteen hundred and eighty-one, and twenty additional permits for each year thereafter, to those individuals who have been previously engaged in commercial fishing, and can demonstrate that the majority of their income originates from commercial fishing, and that due to documented personal medical incapacity, or other unforeseen circumstances or Acts of God, they were unable to obtain a commercial lobster license during the prescribed renewal period. The marine fisheries advisory commission shall establish criteria to assure that the intent of this section is carried out. Forthwith upon the establishment of such criteria, the said marine fisheries advisory commission shall file a copy thereof with the clerks of the senate and house of representatives.

Any applicant for such a permit or a transfer of any existing permit aggrieved by a decision of the director may appeal that decision to the commissioner whose decision upon such appeal shall be final. The commissioner's decision, however, shall be governed by the criteria contained in this section.

All applicants issued a commercial fisherman permit for the taking of lobsters in coastal waters shall document their catch and sale of lobsters at such times and upon such forms as may be determined by the director. Individual catch data so documented shall be confidential and shall not be disclosed except in aggregate form. The director may develop such forms and require such information as he deems necessary in the administration of this section. All such forms shall be signed by the applicant under the pains and penalties of perjury. Failure to submit complete forms as required by this section, or falsification of any such form or any application as required by this section shall result in a fine of not less than five hundred nor more than one thousand dollars and immediate suspension of the commercial permit for one year for the first offense, two years for the second offense and three years for each subsequent offense.

Commercial fishermen permits for the taking of lobsters in coastal waters may be transferred subject to the approval of the director, between members of an immediate family. A permit may be transferred to a lawful member of any corporation, partnership, joint venture, firm, business, company, franchise, as-

sociation, organization, holding company, joint stock company, or any other legal entity when such an entity is lawfully dissolved as defined in chapters one hundred and eight A and one hundred and fifty-six B provided that said entity had been in lawful existence for more than one calendar year and provided further that the applicant for this transfer is experienced and qualified to enter the coastal lobster fishery. The director may develop additional criteria by which such transfer applications will be reviewed.

SECTION 3. Section two of this act shall take effect on December first, nineteen hundred and eighty.

Approved July 10, 1980.

Chap. 445. AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS OF THE BOARD OF CONCILIATION AND ARBITRATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase the salaries of the members of the board of conciliation and arbitration, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 23 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 90 of chapter 872 of the acts of 1977, and inserting in place thereof the following section:-

Section 2. Upon the expiration of the term of office of a commissioner or an assistant commissioner or an associate commissioner his successor shall be appointed by the governor for a term coterminous with that of the governor. The commissioner shall receive a salary of twenty-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-five thousand nine hundred and seventy-one dollars while he is serving as such chairman, and the two associate commissioners who serve on the board shall receive a salary of twenty-three thousand nine hundred and twenty-one dollars; and the assistant commissioner shall receive a salary of eighteen thousand seven hundred and twenty-four dollars. The chairman and the members of the board shall devote their full time during business hours to the duties of their offices and shall not engage in other employment or business activities during said hours.

Approved July 10, 1980.

Chap. 446. AN ACT FURTHER REGULATING THE CONTROL OF TOWN FORESTS.

Be it enacted, etc., as follows:

Section 21 of chapter 45 of the General Laws, as most recently amended by section 4 of chapter 893 of the acts of 1971, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- The selectmen in the town and the mayor and the city council in a city shall appoint a special town forest committee to manage and care for that portion of the public domain known as the city or town forest; provided, however, that a town may vote to designate the conservation commission of said town to manage and care for such town forest; provided, further, that a town may vote to authorize said conservation commission to appoint such forest committee; and provided, further, that in a city, the mayor and the city council may appoint a forester or other board or officer to provide such management and care of such forest. Such forest shall exclude lands held within the watershed of any pond, stream, reservoir, well or other water used by a city or town as a source of water supply.

Approved July 10, 1980.

Chap. 447. AN ACT PROVIDING FOR A HEARING FOR MOTOR VEHICLE OPERATORS WHO FAIL TO APPEAR IN COURT ON A SUMMONS.

Be it enacted, etc., as follows:

Chapter 90C of the General Laws is hereby amended by striking out section 4, as most recently amended by section 4 of chapter 692 of the acts of 1965, and inserting in place thereof the following section:-

Section 4. If a person summoned to appear before a court for an automobile law violation fails without good cause to appear at the time and place specified in the summons and has failed to comply with the provisions of section four A, the clerk of the court to which said summons was returnable shall issue a warrant for the arrest of said person and shall notify the registrar that such person has failed, without good cause, to appear at the time and place specified on the summons and that a warrant of arrest has been issued.

Upon receipt of said notice from the clerk of court, the registrar shall give such person written notice by mail directed to his last known address that his motor vehicle operator's license, learner's permit or right to operate will be suspended

without further notice at the expiration of thirty days from the date of mailing such notice, which expiration date shall be specifically indicated by the registrar in said notice, unless within the specified thirty day period the person shows sufficient cause to the registrar why his license, learner's permit or right to operate should not be suspended for failing to appear before the court where summonsed.

The registrar may also, following the notification procedures set forth, suspend the license, learner's permit or right to operate of any resident or nonresident who failed to answer a summons issued by a court or another state.

If any person fails to show sufficient cause why his license, learner's permit or right to operate should not be suspended or waives his opportunity for a pre-suspension hearing, his operator's license, learner's permit or right to operate shall be automatically suspended on the date indicated on the notice mailed to him unless the time has been extended by the registrar and shall not be thereafter terminated until the registrar is satisfied all summonses resulting from automobile law violations that have been issued to such person have been answered but in no event less than fourteen days from the date of suspension.

The registrar may enter into reciprocal agreements or compacts with proper authorities of such states, which agreements or compacts may include provisions for the suspension or revocation of operator's licenses, learner's permits or rights to operate or motor vehicle registrations of residents and nonresidents, who fail to answer a summons issued for an automobile law violation.

Approved July 10, 1980.

Chap. 448. AN ACT RELATIVE TO THE CERTIFICATE OF TITLE IN MORTGAGE TRANSACTIONS.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by striking out section 70, as amended by chapter 531 of the acts of 1979, and inserting in place thereof the following section:-

Section 70. In connection with the granting of any loan or credit to be secured by a purchased money first mortgage on real estate improved with a dwelling designed to be occupied by not more than four families and occupied or to be occupied in whole or in part by the mortgagor, the mortgagor is required or agrees to pay or be responsible for any fee or expense charged or incurred by an attorney acting for or on behalf of the mortgagee in connection with the rendering of a certification of title to the mortgaged premises such certification shall be rendered to

the mortgagor and to the mortgagee.

For purposes of this section, said certification shall include a title examination which covers a period of at least fifty years with the earliest instrument a warranty or quitclaim deed which on its face does not suggest a defect in said title. The term record title, as used herein, shall mean the records of the registry of deeds or registry district in which the mortgaged premises lie and relevant records of registries of probate.

The certification shall include a statement that at the time of recording the said mortgage, the mortgagor holds good and sufficient record title to the mortgaged premises free from all encumbrances, and shall enumerate exceptions thereto. The certification shall further include a statement that the mortgagee holds a good and sufficient record first mortgage to the property, subject only to the matters excepted by said certification.

The liablility of any attorney rendering such certification shall be limited to the amount of the consideration shown on the deed with respect to the mortgagor, and shall be limited to the original principal amount secured by the mortgage with respect to the mortgagee. Said certification shall be effective for the benefit of the mortgagor so long as said mortgagor has title to the mortgaged premises, and shall be effective for the benefit of the mortgagee so long as the original debt secured by the mortgage remains unpaid.

Willful failure by an attorney to render a certification to the mortgagor as required by the provisions of this section shall constitute an unfair or deceptive act or practice under the provisions of chapter ninety-three A.

Approved July 10, 1980.

Chap. 449. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO BORROW MONEY TO PURCHASE EQUIPMENT FOR THE BRISTOL COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Bristol county may appropriate and the county treasurer may expend at one time or from time to time an amount of money not exceeding, in the aggregate, two hundred and fifteen thousand dollars to purchase items of equipment as are set forth on a list on file in the office of the director of accounts in the department of revenue for the Bristol County Agricultural School.

SECTION 2. For the purposes authorized in section one, the treasurer of said county, with the approval of the county com-

missioners, may borrow upon the credit of the county such sums as may be necessary not exceeding, in the aggregate, two hundred and fifteen thousand dollars, and may issue bonds or notes of the county therefor which bear on their face the words, Bristol County Agricultural School Equipment Loan, Act of 1980. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years from their dates. Said bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. Said county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved July 10, 1980.

Chap. 450. AN ACT DESIGNATING SPECIAL REGISTRATION PLATES FOR RECIPIENTS OF THE CONGRESSIONAL MEDAL OF HONOR.

Be it enacted, etc., as follows:

Section 2 of chapter 90 of the General Laws is hereby amended by adding the following paragraph:-

The registrar shall furnish at his office at no cost to all residents of the commonwealth who have been awarded the congressional medal of honor, plates bearing up to three letters designating the recipients initials followed by the letters CMH signifying the congressional medal of honor suitable for attachment to a motor vehicle owned solely or in part by said recipients and registered under this chapter.

Approved July 10, 1980.

Chap. 451. AN ACT PROVIDING FOR INCREASED COOPERATION BETWEEN INSURANCE COMPANIES AND LAW ENFORCEMENT AGENCIES IN THE INVESTIGATION OF LOSSES DUE TO THE THEFT OR MISAPPROPRIATION OF A MOTOR VEHICLE.

Be it enacted, etc., as follows:

Section 113 O of chapter 175 of the General Laws is hereby amended by the adding the following four paragraphs:-

Insurers shall report the theft or misappropriation of a motor vehicle, including the vehicle identification number and such other information as may be required, to a central organization

engaged in motor vehicle loss prevention as designated by the commissioner, in accordance with regulations promulgated by the commissioner. Said organization shall, in cooperation with the division of insurance, establish a central index file of all reported motor vehicle thefts or misappropriations. All costs of administration and operation shall be borne by said insurers pursuant to regulations promulgated by the commissioner. The central organization designated by the commissioner and each insurer authorized to issue motor vehicle comprehensive insurance policies in the commonwealth shall, upon request of any appropriate law enforcement agency or other insurer, release information in its possession resulting from an investigation conducted by it pertaining to such comprehensive loss, including information as such agency or insurer deems related to its investigation. Whenever a central organization or the insurer has reasonable cause to believe that the loss was caused by any criminal or fraudulent act of any person, it shall notify the appropriate law enforcement agency or central organization engaged in motor vehicle loss prevention of that belief.

Any information or evidence, whether oral or written, furnished pursuant to this section shall not be subject to public inspection for so long a period as the commissioner deems reasonably necessary to complete an investigation, to protect the person investigated from unwarranted injury, or to serve the public interest. Such evidence or information shall not be subject to subpoena or subpoena duces tecum until returned for public inspection by the commissioner, unless the commissioner otherwise consents or, after notice to the commissioner and a hearing, the superior court determines that the public interest and any ongoing investigation by the commissioner would not be unnecessarily jeopardized by obeyance of such a subpoena or subpoena duces tecum.

No insurer or the central organization designated by the commissioner pursuant to this section, or their employees or agents, and no commissioner or employees of the commissioner, and no official or officer of any law enforcement agency, shall be subject to civil or criminal liability in a cause of action of any kind for furnishing any evidence or information to the commissioner, his employees or any law enforcement agency or any other insurer relating to an investigation conducted involving losses for motor vehicles.

Nothing contained in this section shall relieve an insurer of its duty to report suspected violations of the law to appropriate law enforement agencies.

Approved July 10, 1980.

Chap. 452. AN ACT INCREASING THE PENALTY FOR CERTAIN UNLICENSED BUSINESSES FOR CERTAIN UNLICENSED SALES OF SECOND-HAND MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 68, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 68. Whoever, not being licensed, carries on the business for which a license is required by section fifty-seven, or is concerned therein, or, being licensed, carries on such business or is concerned therein in any other place or manner than that designated in his license, or after notice to him that his license has been revoked or suspended, shall be punished by a fine of not less than two hundred and not more than one thousand dollars or by imprisonment for not more than one year, or both.

In cases of two or more convictions, under the provisions of this section, the attorney general shall be notified for action under section six of chapter ninety-three A.

Approved July 10, 1980.

EMERGENCY LETTER - July 11, 1980 @ 1:05 P.M.

Chap. 453. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF BRISTOL 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 ending June thirtieth, nineteen hundred and eighty-one.

BRISTOL COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$183,515 00
2.	For reduction of county debt.....		785,000 00
3.	For county commissioners, salaries and expenses.....		92,479 39
	1. Personal services	$86,294 39	

Item		Subtotal	Total
	2. Contractual services	$2,650 00	
	3. Supplies and materials	2,750 00	
	4. Current charges and obligations	785 00	
4.	For transportation and expenses of county and acting commissioners.....		$1,200 00
6.	For county treasurer, salaries and expenses		147,421 77
	1. Personal services	130,243 77	
	2. Contractual services	11,000 00	
	3. Supplies and material	4,700 00	
	4. Current charges and obligations	928 00	
	5. Equipment	550 00	
7.	For sheriff, salary and expenses.....		41,560 96
	1. Personal services	38,460 96	
	2. Contractual services	2,150 00	
	3. Supplies and materials	400 00	
	4. Current charges and obligations	550 00	
8.	For registry of deeds, salaries and expenses		
	Northern District.....		265,929 12
	1. Personal services	217,629 12	
	2. Contractual services	30,600 00	
	3. Supplies and materials	11,400 00	
	4. Current charges and obligations	1,810 00	
	5. Equipment	4,490 00	
	Southern District.....		289,697 59
	1. Personal services	234,822 59	
	2. Contractual services	13,160 00	
	3. Supplies and materials	27,000 00	
	4. Current charges and obligations	720 00	
	5. Equipment	13,995 00	
	Fall River District.....		233,350 65
	1. Personal services	204,030 65	
	2. Contractual services	18,800 00	
	3. Supplies and material	5,000 00	
	4. Current charges and obligations	870 00	
	5. Equipment	4,650 00	
10.	For highways, including state highways, bridges and land damages.....		110,000 00
	6. All other	110,000 00	

Item		Subtotal	Total
15.	For medical examiners and commitments of insane		$105,400 00
16.	For jail and house of correction, maintenance and operation		1,347,942 64
	1. Personal services	$871,437 64	
	2. Contractual services	104,100 00	
	3. Supplies and materials	351,700 00	
	4. Current charges and obligations	19,755 00	
	5. Equipment	950 00	
18.	For court houses and registry buildings, maintenance and operation		723,728 69
	1. Personal services	484,201 42	
	2. Contractual services	105,645 00	
	3. Supplies and materials	128,465 00	
	4. Current charges and obligations	4,380 00	
	5. Equipment	1,037 27	
20.	For agricultural school or county cooperative extension service		1,626,229 17
	1. Personal services	1,074,469 17	
	2. Contractual services	230,000 00	
	3. Supplies and materials	290,000 00	
	4. Current charges and obligations	31,760 00	
24.	For noncontributory pensions		100,000 00
26.	For miscellaneous and contingent expenses		168,225 00
27.	For unpaid bills of previous years		50,000 00
28.	For reserve fund		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		200,000 00
39.	For group insurance		400,000 00
41.	For Americana trail promotion		60,000 00
42.	For county home care for the elderly		26,753 00
	Total amount of appropriations		$7,008,432 98
	Less estimated amount available for reduction of county tax		1,322,100 00
	And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$5,686,332 98

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
25. For contributory retirement system and supervisory expenses..... $330,300 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 10, 1980.

Chap. 454. AN ACT RELATIVE TO THE MERGER OF BANKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by inserting after section 72 the following section:-

Section 72A. If the commissioner has taken possession of a corporation as provided for in sections twenty-two to twenty-six, inclusive, of chapter one hundred and sixty-seven or a corporation is in the possession of the Mutual Savings Central Fund, Inc. and it is determined by the commissioner and the insurer that the interests of the depositors and the insurer would be best served by a merger as provided for in section seventy-two or the advance or loan upon, or purchase, of the assets of a corporation as provided for in section seventy-three they may be effected without geographical limitations within the commonwealth.

The restrictions relative to branches and depots as set out in the second paragraph of section five shall not apply to this section.

SECTION 2. Chapter 170 of the General Laws is hereby amended by inserting after section 48 the following section:-

Section 48A. If the commissioner has taken possession of a corporation, as provided for in sections twenty-two to twenty-six, inclusive, of chapter one hundred and sixty-seven or a corporation is in possession of the Cooperative Central Bank and it is determined by the commissioner and the insurer that the best interests of the shareholders, depositors and the insurer would be served by a merger as provided for in section forty-eight or an advance, or loan or purchase of assets as provided for in section forty-seven, they may be effected without geographical limitations, within the commonwealth.

The geographical restrictions of the first sentence of the second paragraph of section twelve shall not apply to this section.

SECTION 3. Chapter 171 of the General Laws is hereby amended by inserting after section 30 the following section:-

Section 30A. If the commissioner has taken possession of a credit union as provided for in sections twenty-two to twenty-six, inclusive, or a credit union is in the possession of the

Massachusetts Share Insurance Corporation and it is determined by the commissioner and the insurer that it is in the best interests of the depositors, shareholders and insurer a merger as provided for in section thirty may be effected without regard to geographical limitations within the commonwealth.

SECTION 4. Paragraph (b) of section 11 of chapter 172 of the General Laws, as amended by section 7 of chapter 293 of the acts of 1979, is hereby further amended by adding the following sentence:- If a trust company is in the possession of the commissioner as provided for in sections twenty-two to twenty-six, inclusive, of chapter one hundred and sixty-seven and the Federal Deposit Insurance Corporation has been approved as liquidating agent and the commissioner and the liquidator and insurer would be served then the geographical restrictions set out in this paragraph, attached to the business of the bank which has been taken over under sections thirty-two and thirty-eight shall not apply.

Approved July 10, 1980.

Chap. 455. AN ACT PROVIDING FOR THE TESTING OF NEWBORN CHILDREN FOR THE GENETIC DISEASE TUBEROUS SCLEROSIS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 110A of chapter 111 of the General Laws, as amended by chapter 108 of the acts of 1978, is hereby further amended by inserting after the word "cretinism", in line 2, the words:- , tuberous sclerosis.

SECTION 2. This act shall take effect on June first, nineteen hundred and eighty-six. The department of public health shall file a report on or before said date stating whether or not testing for tuberous sclerosis as provided for in section one of this act shall have substantial value in the deduction and treatment of tuberous sclerosis.

Approved July 10, 1980.

Chap. 456. AN ACT FURTHER CLARIFYING THE DETERMINATION OF EQUALIZED VALUATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 10C of chapter 58 of the General Laws, as most recently amended by section 1 of chapter 383 of the acts of 1979, is hereby further amended by inserting after the first sentence the following two sentences:- Prior to establishing a

final equalization and apportionment, the commissioner shall add to the equalized valuations so determined the fair cash value of all property subject to the excise imposed by section ten of chapter one hundred and twenty-one A and said property shall, for the purpose of this section only, be deemed property subject to local taxation. The fair cash value of said property shall be established by the commissioner at an amount no higher than that which would result if the owner thereof were paying a tax under the provisions of chapter fifty-nine equal to the total payments made to the city or town under chapter one hundred and twenty-one A in the most recent calendar year, and if all property actually subject to local taxation in such city or town were being assessed at the equalized valuation determined by the commissioner hereunder.

SECTION 2. This act shall apply to the final equalization and apportionment required to be made by the commissioner of revenue in nineteen hundred and eighty and thereafter.

Approved July 10, 1980.

Chap. 457. AN ACT RELATIVE TO CERTAIN CREDITABLE SERVICE FOR WILLIAM H. RYAN.

Be it enacted, etc., as follows:

William H. Ryan, senior program analyst in the department of corrections shall for the purpose of determining his compensation, sick leave, vacation and retirement benefits be credited with his previous service with the commonwealth and Essex county; provided that any contribution due the retirement board be paid by the said William H. Ryan.

Approved July 10, 1980.

Chap. 458. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF ESSEX 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 ending June thir-

tieth, nineteen hundred and eighty-one.

ESSEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt.....		$581,415 85
2.	For reduction of county debt.....		1,025,000 00
3.	For county commissioners, salaries and expenses.....		142,140 81
	1. Personal services	$139,640 81	
	2. Contractual services	450 00	
	3. Supplies and materials	1,400 00	
	4. Current charges and obligations	650 00	
4.	For transportation and expenses of county and acting commissioners.....		650 00
5.	For centralized purchasing department, salaries and expenses.....		1,080,190 09
	1. Personal services	45,576 09	
	2. Contractual services	267,540 00	
	3. Supplies and materials	614,868 00	
	4. Current charges and obligations	105,650 00	
	5. Equipment	46,556 00	
6.	For county treasurer, salaries and expenses.....		111,136 92
	1. Personal services	105,836 92	
	2. Contractual services	900 00	
	3. Supplies and materials	2,800 00	
	4. Current charges and obligations	1,600 00	
7.	For sheriff, salary and expenses.....		89,553 97
	1. Personal services	88,003 97	
	2. Contractual services	200 00	
	3. Supplies and materials	1,050 00	
	4. Current charges and obligations	300 00	
8.	For registry of deeds, salaries and expenses		
	Southern District.....		689,908 33
	1. Personal services	669,696 33	
	2. Contractual services	10,975 00	
	3. Supplies and materials	7,600 00	
	4. Current charges and obligations	1,637 00	
	Northern District.....		336,048 88
	1. Personal services	316,088 88	
	2. Contractual services	18,600 00	

Item		Subtotal	Total
3.	Supplies and materials	$1,000 00	
4.	Current charges and obligations	430 00	
10.	For highways, including state highways, bridges and land damages.....		$263,482 52
1.	Personal services	255,212 52	
2.	Contractual services	2,700 00	
3.	Supplies and materials	4,500 00	
4.	Current charges and obligations	1,070 00	
15.	For medical examiners and commitments of insane.....		95,350 00
16.	For jail and house of correction, maintenance and operation		
	Salem.....		912,527 63
1.	Personal services	840,897 63	
2.	Contractual services	55,000 00	
3.	Supplies and material	5,000 00	
4.	Current charges and obligations	11,380 00	
5.	Equipment	250 00	
	Lawrence.....		750,649 47
1.	Personal services	675,668 47	
2.	Contractual services	62,151 00	
3.	Supplies and materials	5,000 00	
4.	Current charges and obligations	7,830 00	
16a.	For correctional alternative center.....		284,245 62
1.	Personal services	258,395 62	
2.	Contractual services	17,600 00	
3.	Supplies and materials	2,050 00	
4.	Current charges and obligations	6,200 00	
18.	For court houses and registry buildings, maintenance and operation.....		1,036,665 67
1.	Personal services	805,590 67	
2.	Contractual services	213,320 00	
3.	Supplies and materials	7,875 00	
4.	Current charges and obligations	9,800 00	
5.	Equipment	80 00	
20.	For agricultural school or county cooperative extension service.....		3,406,938 46
1.	Personal services	2,588,913 86	
2.	Contractual services	227,705 60	

Item		Subtotal	Total
3.	Supplies and materials	450,000 00	
4.	Current charges and obligations	140,319 00	
24.	For noncontributory pensions		363,822 02
25.	For contributory retirement system and supervisory expenses		808,362 41
26.	For miscellaneous and contingent expenses		172,984 96
27.	For unpaid bills of previous years		95,000 00
28.	For reserve fund		50,000 00
32.	For forest development		4,425 16
35.	For county planning or development commission		74,688 64
37.	For human services		7,050 00
39.	For group insurance		663,200 00
	Total amount of appropriations		$13,045,437 41
	Less estimated amount available for reduction of county tax		2,654,200 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		$10,391,237 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		
2.	For reduction of county debt	$475,000 00

SECTION 2. Chapter 165 of the acts of 1980 is hereby amended by striking section 1 and inserting in place thereof the following section:-

Section 1. For the purpose of making improvements to the heating equipment and providing for the conservation of energy at the Essex Agricultural and Technical Institute and for providing other equipment, the board of trustees of said institution may replace old and worn equipment and may purchase new equipment for said institution. Said board may expend for said purposes such sums as may be necessary not exceeding in the aggregate two hundred and twenty thousand dollars.

SECTION 3. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 10, 1980.

Chap. 459. AN ACT PROVIDING GRADUATED PENALTIES AND VICTIM COMPENSATION FOR THE CRIME OF RAPE AND RELATED OFFENSES.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 258A of the General Laws, as appearing in section 1 of chapter 852 of the acts of 1967, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

An offender or an accomplice of an offender or, except in the case of rape, a member of the family of the offender or a person maintaining sexual relations with the offender shall not be eligible to receive compensation with respect to a crime committed by the offender.

SECTION 2. The first paragraph of section 5 of said chapter 258A, as so appearing, is hereby amended by inserting after the second sentence the following sentence:- In case of rape, out-of-pocket losses requiring compensation shall include counseling and emergency funds for housing but shall not include funds for abortion or funds for counseling for abortion.

SECTION 3. The second paragraph of said section 5 of said chapter 258A, as so appearing, is hereby amended by inserting, in line 7, after the word "crime", the following words:- , except in the case of rape.

SECTION 4. Chapter 265 of the General Laws is hereby amended by striking out section 13B, as amended by chapter 189 of the acts of 1958, and inserting in place thereof the following section:-

Section 13B. Whoever commits an indecent assault and battery on a child under the age of fourteen 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; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or any term of years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

SECTION 5. Said chapter 265 is hereby further amended by inserting after section 13G the following section:

Section 13H. Whoever commits an indecent assault and battery on a person who has attained age fourteen shall be punished by imprisonment in the state prison for not more than five years, or

by imprisonment for not more than two and one-half years in a jail or house of correction.

SECTION 6. Said chapter 265 is hereby further amended by striking out section 22, as amended by section 1 of chapter 474 of the acts of 1974, and inserting in place thereof the following section:-

Section 22. (a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty-six or section ten of chapter two hundred and sixty-nine shall be punished by imprisonment in the state prison for life or for any term of years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

(b) Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for not more than twenty years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term or years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

For the purposes of prosecution, the offense described in subsection (b) shall be a lesser included offense to that described in subsection (a).

SECTION 7. Said chapter 265 is hereby further amended by striking out section 24, as most recently amended by section 1 of

chapter 379 of the acts of 1978, and inserting in place thereof the following section:-

Section 24. Whoever assaults a person with intent to commit a rape shall be punished by imprisonment in the state prison for not more than twenty years or by imprisonment in a jail or house of correction for not more than two and one-half years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

SECTION 8. Section 39 of chapter 277 of the General Laws is hereby amended by inserting after the definition of "Affray" the following definition:-

Aggravated Rape.- Sexual intercourse or unnatural sexual intercourse by a person with another person who is compelled to submit by force and against his will or by threat of bodily injury; and either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of chapter two hundred and sixty-five, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty-six, or section ten of chapter two hundred and sixty-nine.

SECTION 9. The schedule of forms and pleadings at the end of said chapter 277 is hereby amended by inserting after the form of complaint or indictment for "Affray" the following form:-

Aggravated rape. (Under Chap. 265 § 22(a).) - That A.B. did assault C.D., with intent to commit aggravated rape; and did commit aggravated rape upon said C.D.

SECTION 10. Said schedule of forms and pleadings of said chapter 277 is hereby further amended by striking out the form of complaint or indictment for "Rape", as amended by section 19 of chapter 379 of the acts of 1979, and inserting in place thereof the following form:-

Rape. (Under Chap. 265 §§ 22(b), 23.) - (1) That A.B. did assault C.D. with the intent to commit rape; and did commit rape upon said C.D.

(2) That A.B. did assault C.D., a child under the age of sixteen years, with the intent to unlawfully have sexual inter-

course or unnatural sexual intercourse with and abuse said C.D.; and did unlawfully have sexual intercourse or unnatural sexual intercourse with and abuse said C.D.

SECTION 11. The clerk of each court of the commonwealth having criminal jurisdiction over sections thirteen B, thirteen H, twenty-two, twenty-two A, twenty-three, twenty-four, and twenty-four B of chapter two hundred and sixty-five of the General Laws shall make a detailed report of persons and proceedings under said sections. Such report shall indicate the specific violation charged, the status of such charges, the disposition of such charges, the age and prior criminal record of the defendant, a description of the sentence imposed, if any, appeal, if any, of the sentence and the final disposition of any such sentence, on forms approved by the administrative justices of the district and superior court department of the trial court. The defendant's name shall be expunged from all such reports.

All persons required to make such reports shall file such reports every third month, beginning September first, nineteen hundred and eighty, with the clerk of the house of representatives. If no person has been prosecuted for violations of the aforementioned sections, the clerks shall certify to such fact in such reports.

Approved July 10, 1980.

EMERGENCY LETTER - July 11, 1980 @ 1:05 P.M.

Chap. 460. AN ACT RELATIVE TO THE RESALE OF ANY TICKET OR OTHER EVIDENCE OF RIGHT OF ENTRY TO ANY THEATRICAL EXHIBITION, PUBLIC SHOW, PUBLIC AMUSEMENT OR ANY OTHER EXHIBITION.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 185D, as most recently amended by chapter 213 of the acts of 1975, and inserting in place thereof the following section:-

Section 185D. No licensee under section one hundred and eighty-five A shall resell any ticket or other evidence of right of entry to any theatrical exhibition, public show or public amusement or exhibition of any description at a price in excess of two dollars in advance of the price printed on the face of such ticket or other evidence of right of entry as the purchase price thereof; provided, however, that a price in excess of the above maximum shall not be deemed in violation of this section if the amount in excess of the above maximum is solely attributable to service charges. For the purpose of this section, service charges are defined as costs incurred by said licensee related

solely to the procuring and selling of such ticket or other evidence of right of entry and not related to the general business operation of said licensee. Service charges include, but are not limited to, charges for messengers, postage, and long distance telephone calls, extensions of credit and costs attributable thereto.

The imposition of a fee, on an annual or per order basis, for customers purchasing tickets other than by immediate payment therefor in cash, which includes a membership fee, office expenses and the cost of processing credit card orders, shall not be deemed a violation of this section.

Approved July 10, 1980.

Chap. 461. AN ACT REQUIRING THE TOWN CLERK OF THE TOWN OF HOLLISTON TO PAY OVER TO THE TOWN TREASURER CERTAIN FEES.

Be it enacted, etc., as follows:

SECTION 1. The town clerk of the town of Holliston shall, commencing July first, nineteen hundred and eighty-one and on the first Monday of each month thereafter, pay over to the town treasurer, that part of the dog license funds formerly retained by such clerk under the provisions of section one hundred and forty-seven of chapter one hundred and forty of the General Laws, and that part of the fish and game license funds formerly retained by such clerk under the provisions of section seventeen of chapter one hundred and thirty-one of the General Laws; provided, that the town clerk's salary, to be effective July first, nineteen hundred and eighty-one, shall, in addition to any general increases voted from time to time for elected officials, include an amount substantially equal to the fees retained under the above two sections of the General Laws during the fiscal year July first, nineteen hundred and seventy-nine through June thirtieth, nineteen hundred and eighty.

SECTION 2. The town clerk of the town of Holliston shall continue to pay over to the town treasurer on the first Monday of each month, fees collected under section thirty-four and thirty-four A of chapter two hundred and sixty-two of the General Laws.

SECTION 3. Money paid over to the town treasurer under sections one and two of this act shall become part of the estimated receipts of the town of Holliston.

SECTION 4. This act shall take effect upon its acceptance by the town of Holliston.

Approved July 10, 1980.

Chap. 462. AN ACT FURTHER REGULATING THE MEMBERSHIP AND AUTHORITY OF THE BOARD OF FIRE PREVENTION REGULATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by striking out section 14, as most recently amended by section 52 of chapter 801 of the acts of 1963, and inserting in place thereof the following section:-

Section 14. There shall be in the department, but not under the control of the commissioner except as provided under rules and regulations promulgated under the provisions of section ten of chapter one hundred and forty-eight, a board to be known as the board of fire prevention regulations, which shall consist of the fire marshal, ex-officio, who may designate from time to time a person serving in the department to act temporarily as a member of such board, with the same powers and duties as other members of the board, and thirteen members to be appointed by the governor, for terms of six years each. Three of the members shall be the head of a fire department, as such term is defined in section one of chapter one hundred and forty-eight as follows: one from a community with a population of less than twenty-five thousand, one from a community with a population of more than twenty-five thousand but less than fifty thousand, and one from a community with a population in excess of fifty thousand; provided, however, that the Fire Chiefs Association of Massachusetts may recommend to the governor such heads of fire departments for such membership. The remaining ten members shall be appointed as follows: one shall be a member of the Massachusetts Fire Prevention Association, one shall be a registered professional fire protection engineer as provided in chapter one hundred and twelve, one shall be a registered professional chemical engineer as provided in chapter one hundred and twelve, one shall be a registered professional mechanical engineer as provided in chapter one hundred and twelve, one shall be a registered professional electrical engineer as provided in chapter one hundred and twelve, one shall be an owner of buildings subject to chapter one hundred and forty-three, one shall be a graduate chemist with fire testing experience and a full member of a national organization of chemists, one of whom shall be an inspector of wires who holds an electrician's license under chapter one hundred and forty-one and has been an inspector of wires under the provisions of chapter one hundred and sixty-six for a period of not less than ten years, one shall be a representative of a national, regional or state association of the blasting industry who shall have been actively engaged for a period of not less than ten years in the keeping, storage, use, handling or transportation of explosives, and one shall be an

electrical contractor, who has held a master electrician's license under chapter one hundred and forty-one for a period of not less than ten years.

The governor shall from time to time, designate one member of said board as chairman. Said chairman shall act as a nonvoting member of said board, except in the case of a tie vote.

Said board, subject to the provisions of chapter thirty A, shall promulgate a comprehensive fire safety code.

No member shall act as a member of the board or vote as such, in connection with any matter as to which his private right, distinct from the public interest, is immediately concerned.

A majority of said board may transact business; but a lesser number may adjourn from time to time.

The fire marshal and the heads of fire departments shall receive no compensation for their service as members of the board, but shall receive from the commonwealth all expenses necessarily incurred by them in connection with their official duties. All other members of said board shall each be paid thirty-one dollars and twenty-five cents for each day while in the actual performance of his duties as such member, but such pay shall not exceed twelve hundred and fifty dollars in any fiscal year for each member, and shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties as such member.

The board may, subject to appropriation and with the approval of the commissioner, employ an executive secretary who shall not be subject to the provisions of chapter thirty-one and may employ such clerical, technical and other assistants as may be required by the board.

SECTION 2. Chapter 148 of the General Laws is hereby amended by striking out section 28, as most recently amended by section 15 of chapter 541 of the acts of 1974, and inserting in place thereof the following section:-

Section 28. The board shall make such rules and regulations, in accordance with the provisions of chapter thirty A, and the head of the fire department shall make such orders or rules not inconsistent therewith, for the storage, handling and manufacturing of liquids, solids or gases which when combined with another substance may present a hazard of fire or explosion whenever such substances are located in or about any building, structure or other premises or in any ship or vessel within the commonwealth. Such regulatory authority shall apply to materials and substances which are highly flammable or which may react to cause fires or explosions or which by their presence create or augment a fire or explosion hazard or which because of their toxicity, flammability or liability to explosion render fire fighting abnormally dangerous or difficult; and shall apply to

flammable liquids which are chemically unstable and which may spontaneously form explosive compounds or undergo spontaneous reactions of explosive violence or with sufficient evolution of heat tends to be a fire hazard; and shall also apply to hazardous chemicals such as flammable solids, corrosive liquids, oxidizing materials, potentially explosive chemicals, highly toxic materials and poisonous gases.

SECTION 3. The members of the board of fire prevention regulations, prior to the effective date of this act, with the exception of the representative of the national organization of fire underwriters, shall continue to be members for the term and in the manner as set forth in section fourteen of chapter twenty-two. All other members of the board, as provided in section one of this act, shall be appointed as follows: the chief of a fire department from a community with less than twenty-five thousand shall be appointed for a one year term, the member of the Massachusetts Fire Prevention Association shall be appointed for a two year term, the chief of a fire department from a community of more than fifty thousand shall be appointed for a three year term, the registered professional fire protection engineer shall be appointed for a four year term, the graduate chemist shall be appointed for a five year term.

Upon the expiration of the terms of the board members as hereinbefore provided, their successors shall be appointed for the term and in the manner as set forth in section fourteen of chapter twenty-two.

Approved July 10, 1980.

Chap. 463. AN ACT FACILITATING THE INVESTIGATION AND PROSECUTION OF THE THEFT OF MOTOR VEHICLES AND OF FRAUDULENT MOTOR VEHICLES INSURANCE CLAIMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 147 of the General Laws is hereby amended by inserting after section 4F the following section:-

Section 4G. In proceedings under sections twenty-seven A, twenty-eight, twenty-nine, one hundred and eleven A and one hundred and thirty-nine of chapter two hundred and sixty-six, a certified copy of the certificate of title on file as an official record in the registry of motor vehicles, shall be admissible as proof of ownership in the motor vehicle and shall raise a rebuttable presumption that the use of the motor vehicle was unauthorized. If the defendant rebuts such presumption, the commonwealth may be granted a reasonable continuance to enable the owner of the vehicle to be brought into court to testify.

SECTION 2. Section 113 0 of chapter 175 of the General Laws, as most recently amended by section 18 of chapter 266 of the acts of 1976, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- No payment shall be made by the insurer of loss or damage to the insured vehicle on a claim for theft coverage, so-called, until the insured received notice from the appropriate police authority that a statement in conformity with the provisions of section twenty-nine A of chapter two hundred and sixty-six has been filed.

SECTION 3. Section 27A of chapter 266 of the General Laws is hereby amended by adding the following seven paragraphs:-

A person found guilty of violating this section shall, in all cases, upon conviction, in addition to any other punishment, be ordered to make restitution to the insurer for any financial loss sustained as a result of the commission of the crime. Restitution shall be imposed in addition to incarceration or fine, but not in lieu thereof. In an extraordinary case such as indigency, the court may determine that the interests of the victim and justice would not be served by ordering restitution. In such a case, the court shall make and enter specific written findings on the record concerning the extraordinary circumstances presented which militated against the imposition of restitution.

The court shall, after conviction, conduct an evidentiary hearing to ascertain the extent of the damages or financial loss suffered as a result of the defendant's crime. The court may then determine the amount and method of restitution. In so determining, the court shall consider the financial resources of the defendant and the burden restitution will impose on the defendant. The defendant's present and future ability to make such restitution shall be considered.

A defendant ordered to make restitution may petition the court for remission from any payment of restitution or from any unpaid portion thereof. If the court finds that the payment of restitution due will impose an undue financial hardship on the defendant or his family, the court may grant remission from any payment of restitution or modify the time and method of payment.

If a defendant who is required to make restitution defaults in any payment of restitution or installment thereof, the court may hold him in contempt unless said defendant has made a good faith effort to make restitution. If the defendant has made a good faith effort to make restitution, the court may, upon motion of the defendant, modify the order requiring restitution by: (a) providing for additional time to make any payment in restitution; (b) reducing the amount of any payment in restitution or installment thereof; (c) granting a remission from any payment of res-

mission from any payment of restitution or part thereof.

Restitution shall not be authorized to a party whom the court determines to be aggrieved, without that party's consent.

A prosecution commenced under this section shall not be placed on file, or continued without a finding and the sentence imposed upon a person convicted of violating this section for a second or subsequent offense shall not be reduced to less than one year nor shall any sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served one year of such sentence if convicted of a second or subsequent offense.

A person convicted of a second or subsequent offense of violating the provisions of this section shall not be eligible for probation, parole, furlough or work release; provided, however that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institutions.

SECTION 4. Said chapter 266 is hereby further amended by striking out sections 28 to 29A, inclusive, and inserting in place thereof the following two sections:-

Section 28. (a) Whoever steals, buys, receives, possesses, conceals, or obtains control of a motor vehicle or trailer, knowing or having reason to know the same to have been stolen, or whoever takes a motor vehicle without the authority of the owner and steals from it any of its parts or accessories, shall be punished by imprisonment in the state prison for not more than ten years or by imprisonment in jail or house of correction for not more than two and one-half years or by a fine of not more than ten thousand dollars, or both.

Evidence that an identifying number or numbers of a motor vehicle or trailer or part thereof has been intentionally and maliciously removed, defaced, altered, changed, destroyed, obliterated, or mutilated, shall be prima facie evidence that the defendant knew or had reason to know that the motor vehicle, or trailer or part thereof had been stolen.

A prosecution commended under this subdivision shall not be placed on file or continued without a finding and the sentence imposed upon a person convicted of violating this subdivision for a second or subsequent offense shall not be reduced to less than one year imprisonment, nor shall any sentence imposed upon any person be suspended, or reduced, until such person shall have served one year of such sentence if convicted of a second or subsequent such offense.

A person convicted of a second or subsequent offense of violating the provisions of this subdivision shall not be eligible for probation, parole, furlough or work release; provided, however that the commissioner of correction may, on the recommendation of warden, superintendent, or other person in charge of a correctional institution, or the administrator of a county correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution.

(b) Whoever conceals any motor vehicle or trailer thief knowing him to be such, shall be punished by imprisonment for not more than ten years or by imprisonment in jail or house of correction for not more than two and one-half years or by a fine of not more than five thousand dollars, or both.

(c) A conviction of a violation of this section or any adjudication that a person is a delinquent child by reason thereof shall be reported forthwith by the court or magistrate to the registrar of motor vehicles who shall revoke immediately the license to operate motor vehicles or the right to operate motor vehicles of the person so convicted or adjudged, and no appeal, motion for new trial or exceptions shall operate to stay the revocation of such license or right to operate. The registrar of motor vehicles after having revoked the license or right to operate of any such person so convicted or adjudged shall issue a new license or reinstate such right to operate, if the prosecution of such person is finally terminated in his favor; otherwise, no new license shall be issued nor shall such right to operate be reinstated until one year after the date of revocation following his original conviction or adjudication if for a first offense, or until five years after the date of revocation following any subsequent conviction or adjudication.

Section 29. Whenever a motor vehicle is stolen or misappropriated, the owner of record shall sign and submit to the appropriate police authority a statement under the penalties of perjury on a form containing such information relating to the theft or misappropriation of the vehicle as is prescribed by the registrar of motor vehicles.

Whenever a stolen or misappropriated motor vehicle is recovered by a police officer or other law enforcement officer, the police department shall notify the registry of motor vehicles, the owner of record and the storage facility if any, as soon as possible after the identity of the owner is determined. Such notification may be made by letter, telephone call or personal visit to the owner and shall include information as to the location of the recovered vehicle. In the event the vehicle is placed in a garage or other storage facility, the owner of said facility shall

lose his lien for the reasonable charges for storage and towing unless he notifies the owner of record of the vehicle by certified mail and return receipt requested within five days of the date of said recovery or his actual knowledge of the identity of the owner of record. Said notice shall contain the information on the location of the vehicle and the amount of charge due on said vehicle.

A defendant ordered to make restitution may petition the court for remission from any payment of restitution or from any unpaid portion thereof. If the court finds that the payment of restitution due will impose an undue financial hardship on the defendant or his family, the court may grant remission from any payment of restitution or modify the time and method of payment.

If a defendant who is required to make restitution defaults in any payment of restitution or installment thereof, the court may hold him in contempt unless said defendant has made a good faith effort to make restitution. If the defendant has made a good faith effort to make restitution, the court may, upon motion of the defendant, modify the order requiring restitution by:

(a) providing for additional time to make any payment in restitution;

(b) reducing the amount of any payment in restitution or installment thereof;

(c) granting a remission from any payment of restitution or part thereof.

Restitution shall not be authorized to a party whom the court determines to be aggrieved, without that party's consent.

The sentence imposed upon a person convicted of violating this section for a second or subsequent offense shall not be reduced to less than one year.

A person convicted of a second or subsequent offense of violating the provisions of this section shall not be eligible for probation, parole, furlough or work release; provided, however that the commissioner of correction may, on the recommendation of warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institutions. A prosecution commenced under this section shall neither be continued without a finding nor placed on file.

SECTION 5. Said chapter 266 is hereby further amended by inserting after section 111A the following section:-

Section 111B. Whoever, in connection with or in support of any claim under any motor vehicle, theft or comprehensive insurance policy issued by an insurer, and with intent to injure,

defraud or deceive such insurer knowingly presents to it, or aids or abets in or procures the presentation to it of, any notice, statement, or proof of loss, whether or not the same is under oath or is required or authorized by law or the terms of such policy, knowing such notice, statement or proof of loss contains any false or fraudulent statement or representation of any fact or thing material to such claim, shall be punished by imprisonment for not less than six months nor more than two and one-half years or by a fine of not less than five hundred nor more than two thousand dollars, or both.

A person found guilty of violating this section shall, in all cases, upon conviction, in addition to any other punishment, be ordered to make restitution to the insurer for any financial loss sustained as a result of the commission of the crime. Restitution shall be imposed in addition to incarceration or fine, but not in lieu thereof. In an extraordinary case such as indigency, the court may determine that the interests of the victim and justice would not be served by ordering restitution. In such a case, the court shall make and enter specific written findings on the record concerning the extraordinary circumstances presented which militated against the imposition of restitution.

The court shall, after conviction, conduct an evidentiary hearing to ascertain the extent of the damages or financial loss suffered as a result of the defendant's crime. The court may then determine the amount and method of restitution. In so determining, the court shall consider the financial resources of the defendants and the burden restitution will impose on the defendant. The defendant's present and future ability to make such restitution shall be considered.

SECTION 6. Chapter 268 of the General Laws is hereby amended by adding the following section:-

Section 37. Whoever knowingly makes a false written statement on a form bearing notice that false statements made therein are punishable under the penalty of perjury, to a police officer, police department or the registry of motor vehicles alleging the theft or conversion of a motor vehicle, shall be punished by imprisonment for a first offense not less than five months, nor more than two years, or a fine of not less than two hundred and fifty dollars and not more than two thousand five hundred dollars, or both. A person found guilty of violating this section for a second or subsequent offense shall be punished by imprisonment not less than one, nor more than five years, or a fine of not less than five hundred dollars and not more than five thousand dollars, or both.

The sentence imposed upon a person convicted of violating this section for a second or subsequent offense shall not be reduced to less than one year.

A person convicted of a second or subsequent offense of violating the provisions of this section shall not be eligible for probation, parole, furlough or work release; provided, however that the commissioner of correction may, on the recommendation of warden, superintendent, or other person in charge of a correctional institution, or the administrator of a county correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institutions. A prosecution commenced under this section shall neither be continued without a finding nor placed on file.

SECTION 7. Chapter 276 of the General Laws is hereby amended by inserting after section 92 the following section:-

Section 92A. A person found guilty of violating the provisions of sections twenty-seven, twenty-eight, one hundred and eleven B and one hundred and thirty-nine of chapter two hundred and sixty-six shall, in all cases, upon conviction, in addition to any other punishment, be ordered to make restitution to any person whom the court deems appropriate for any financial loss sustained by the victim of his crime, his dependents or an insurer as a result of the commission of the crime. The term "financial loss" shall be interpreted to include but shall not be limited to, loss of earnings, out-of-pocket expenses, and replacement costs. Losses due to pain and suffering are not financial loss. Restitution shall be interpreted to include monetary reimbursment, work or service, or a combination thereof, provided to any person, organization, corporation, or governmental entity, the court determines, has suffered said damage or financial loss, or to perform such work or service for any other person, organization, corporation or governmental entity as the court may determine. Restitution shall be imposed in addition to incarceration or fine, but not in lieu thereof. In an extraordinary case such as indigency, the court may determine that the interests of the victim and justice would not be served by ordering restitution. In such a case, the court shall make and enter specific written findings on the record concerning the extraordinary circumstances presented which militated against the imposition of restitution.

The court shall, after conviction, conduct an evidentiary hearing to ascertain the extent of the damages or financial loss suffered as a result of the defendant's crime. The court may then determine the amount and method of restitution. In so determining, the court shall consider the financial resources of the defendant and the burden restitution will impose on the defendant. The defendant's present and future ability to make such restitution shall be considered.

A defendant ordered to make restitution may petition the court for remission from any payment of restitution or from any unpaid portion thereof. If the court finds that the payment of restitution due will impose an undue financial hardship on the defendant or his family, the court may grant remission from any payment of restitution or modify the time and method of payment.

If a defendant who is required to make restitution defaults in any payment of restitution or installment thereof, the court may hold him in contempt unless said defendant has made a good faith effort to make restitution. If the defendant has made a good faith effort to make restitution, the court may, upon motion of the defendant, modify the order requiring restitution by: (a) providing for additional time to make any payment in restitution; (b) reducing the amount of any payment in restitution or installment thereof; (c) granting a remission from any payment of restitution or part thereof.

Restitution shall not be authorized to a party whom the court determines to be aggrieved, without that party's consent.

SECTION 8. Chapter 278 of the General Laws is hereby amended by inserting after section 6 the following section:-

Section 6A. At the arraignment of a defendant charged with violating the provisions of sections twenty-seven A, twenty-eight, twenty-nine, one hundred and eleven A and one hundred and thirty-nine of chapter two hundred and sixty-six, the court shall, upon a showing of need by the commonwealth, and after granting adequate time to defense counsel to consult with the defendant, allow testimony from the owner or person in control of such vehicle, solely on the issue of ownership and unauthorized use, and such testimony shall be taken and preserved and shall be admissible at trial.

In the prosecution of a person charged with violating the provisions of sections twenty-seven A, twenty-eight, twenty-eight A, twenty-nine, one hundred and eleven A and one hundred and thirty-nine of chapter two hundred and sixty-six, the court shall order, as a condition of granting a continuance, that the testimony of a witness then present in court be taken and preserved for subsequent use at trial or any other proceeding. The witness shall be examined in open court by the party on whose behalf he is present and the adverse party shall have the right to cross-examination. The expenses of taking and preserving the testimony shall be assessed as costs against the party requesting the continuance.

Approved July 10, 1980.

Chap. 464. AN ACT PROVIDING FOR THE CONVERSION OF OIL TO COAL BY ELECTRIC GENERATING FACILITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the conversion of oil to coal by electric generating 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:

Chapter 164 of the General Laws is hereby amended by inserting after section 94G the following section:-

Section 94G½. An electric company or other person which distributes to retail customers all or a portion of the output of any existing oil-burning electric generating facility which is proposed to be converted from oil to coal-fired operation may file with the department an application, in such form as the department may prescribe, for an adjustment in its rates through the oil conservation adjustment described in this section, provided that environmental controls for sulfur and particulates will be required to ensure that approved long-term emissions from the facility shall not significantly contribute to any condition of non-attainment of ambient air quality standards established and approved by the environmental protection agency and the department of environmental quality engineering.

Within thirty-five days of receipt of such application the department shall hold a public hearing to determine the share of the cost of conversion of such facility attributable to the applicant's retail customers, the oil conservation adjustment, and the manner in which said adjustment shall be recovered from all retail customers of the applicant. The department shall render a decision upon such application within one hundred and twenty days of the beginning of such hearing. Said adjustment shall not be authorized unless it is determined by the department that there is a substantial probability that the cost of conversion will be less than or equal to the fuel cost savings to accrue to said retail customers over the remaining life of the electric generating facility.

All revenues derived through said adjustment shall be applied solely to the cost of conversion of said facility. The department shall not authorize or recognize for purposes of establishing any rate, price or charge, pursuant to section ninety-four, costs of conversion which are recovered from said customers under said adjustment.

In this section the following words and phrases shall have the following meanings, unless the context requires otherwise:

"Coal", coal used as a primary energy source and any other primary energy source which is derived from coal or synthetic fuels which use coal as a base.

"Cost of conversion", costs as determined by the department to be reasonable and necessary for the conversion of an oil-burning electric generating facility to the burning of coal. Such costs shall include, but not be limited to, engineering, administrative and legal costs, the cost of environmental studies, and control equipment, coal handling and storage equipment, equipment and facilities necessary to permit the combustion of coal, the cost of retro-fitting or refurbishing boilers to permit the combustion of coal, the cost of on-site and off-site facilities for handling, storing, and disposing of wastes resulting from the combustion of coal, and the cost of all other facilities reasonable and necessary to allow the conversion of an oil-burning electric generating facility to burn coal, whether such costs are incurred before or after the date of initial conversion of such facility. Such costs shall also include the reasonable costs of capital for such conversion until such costs are recovered as provided in this section. In no case shall costs of conversion include any costs incurred pursuant to an expansion of an electric generating facility's generating capacity above the generating capacity of said facility that existed prior to the oil conservation adjustment period.

"Date of initial conversion", the first day on which an existing oil-burning electric generating facility generates electricity for continuous distribution to customers by the combustion of coal, whether or not additional facilities must be constructed or installed.

"Fuel cost saving", the differential costs between an equal amount of coal and oil calculated on the basis of British Thermal Units.

"Oil conservation adjustment" an amount which is the greater of (a) two-thirds of the fuel cost savings per kilowatt hour sold accruing to retail customers on the date of initial conversion or (b) the cost of conversion of an existing oil-burning electric generation facility to coal divided by the estimated kilowatt hours to be generated for sale by the facility during the first eighty-four calendar months after the date of initial conversion; provided, however, that if the total amount of cost of conversion per kilowatt hour initially calculated by application of method (b) exceeds one hundred per cent of the fuel cost savings per kilowatt hour sold accruing to retail customers on the date of initial conversion, the eighty-four month period referred to in said method (b) shall be extended so that the total amount of cost of conversion per kilowatt hour shall be no more than one hundred per cent of such fuel cost saving per kilowatt hour. The oil conservation charge determined by the department shall

permit recovery by the applicant of the cost of conversion net of such federal, state, or local taxes based on revenue and income which may be imposed upon the applicant for receipt of proceeds of the oil conservation adjustment which cannot be reasonably avoided by the applicant using due diligence. In no event shall the oil conservation adjustment include amounts attributable to non-retail customers.

Upon recovery by the applicant of its share of the cost of conversion as herein provided, the applicant shall terminate the oil conservation adjustment. Upon such termination the applicant shall demonstrate to the department that its oil conservation adjustment revenue collections are in compliance with orders issued pursuant to this section. In the event such collections are lesser or greater than the applicant's share of the cost of conversion, the department shall make such determinations and issue such orders as are necessary to result in compliance with this section.

In the event the facility or the applicant should become entitled, by reason of the conversion, to any federal or state grant, the department shall make such determinations and issue such orders as are necessary to reduce the amount of conversion costs which the applicant would otherwise recover by means of such oil conservation adjustment, or if such grant is received after termination of such adjustment make such determinations and issue such orders as are necessary to result in the applicant receiving no more than the cost of conversion after taking into account the retail customers' apportioned share of such grant.

The department shall, upon its own initiative or upon petition of the original applicant, but in any event at least twice each year, review the actual cost of conversion and fuel cost savings and changes in estimates thereof, and may, where necessary after notice and public hearing, modify the oil conservation adjustment to permit, if method (a) referred to in the definition of "oil conservation adjustment" in this section was initially used, recovery by the applicant of two-thirds of the recalculated fuel cost saving per kilowatt hour accruing to retail customers on the date of recalculation of the saving by the department or, if method (b) referred to in said definition was initially used, to permit recovery by the applicant of the recalculated cost of conversion over such recalculated number of months as would not result in a charge exceeding the fuel cost saving per kilowatt hour accruing to retail customers on the date of recalculation of the saving by the department. Said adjustment also may be modified to permit switching from said method (a) to method (b) or from method (b) to method (a), where necessary to either permit the applicant to recover the cost of conversion as promptly as possible, consistent with the intent of this section that no adjustment shall exceed fuel cost savings accruing to retail

customers or prevent such adjustment from exceeding fuel cost savings accruing to retail customers.

Approved July 11, 1980.

Chap. 465. AN ACT ESTABLISHING THE MASSACHUSETTS RESIDENTIAL CONSERVATION SERVICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately encourage citizens of the commonwealth to take steps to increase the energy efficiency of all residential buildings in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

SECTION 1. In this act the following words and phrases shall have the following meanings, unless the context requires otherwise:-

"Agency", an agency is any office, department, board, commission, division or authority of the state government or any subdivision of the foregoing, but does not include the following: the legislative and judicial departments, the governor and council, or military or naval boards.

"Department", the department of public utilities.

"Customer", a person which (1) owns or occupies a residential building and (2) receives a bill from a home heating supplier or a utility for energy used in such residential building.

"Federal residential conservation service", the program described in part 1 of title II of the National Energy Conservation Policy Act of 1978, P.L. 95-619, and the regulations promulgated thereunder and any additions or amendments thereto.

"Massachusetts residential conservation service", the program described in this act to increase the energy efficiency of residential buildings in the commonwealth including, but not limited to, the federal residential conservation service program.

"Utility", any electric or gas company, as defined in section one of chapter one hundred and sixty-four of the General Laws and municipal corporations and other persons, firms, associations, and private corporations referred to in section two of said chapter one hundred and sixty-four or any combination thereof, which during the calendar year nineteen hundred and seventy-nine or any year thereafter sold electricity or gas to residential customers in the commonwealth; provided, however, that any small power producer or cogenerator qualifying under the public utility regulatory policies act shall not be subject to the provisions of this act.

"Person", a person is any individual, partnership, corporation trust association, utility, agency, or any political subdivision of the commonwealth.

"Program requirements", a program requirement is any energy conservation measure, renewable resource measure, state measure, energy conserving practice, or any other requirement adopted under this act.

"Ratepayer", any person that purchases gas or electricity from a utility for purposes other than resale.

"Residential building", the term residential building means any building used for residential occupancy which (1) is not a new building to which final standards under sections 304(a) and 305 of the Energy Conservation and Production Act apply and (2) has a system for heating, cooling, or both heating and cooling, living spaces.

"State measure", an energy saving device or measure which has been adopted under the state plan pursuant to the provisions of this act.

"State plan", the plan adopted by the executive office of energy resources specifying the program requirements, how they will be implemented, and who will carry them out under the Massachusetts residential energy conservation service.

Any term defined under the federal laws or regulations referred to herein shall have the same meaning under this act as they have under such laws and regulations, unless such term is inconsistent with a term described herein or any specific provision of this act.

SECTION 2. It is hereby declared that as a result of world petroleum shortages, rising petroleum prices, and excessive reliance on imported petroleum products by the commonwealth, that there now exist high levels of inflation and petroleum supply instability in the commonwealth, conditions that are inhibiting its economic growth and the prosperity of its citizens. Therefore, it is found that it is in the public interest of the commonwealth to promote the prosperity and general welfare of its citizens to establish the Massachusetts residential conservation service and to require all electric and gas utilities to offer on-site energy conservation and renewable energy resource services to their customers, thereby encouraging citizens to take steps to immediately improve the energy efficiency of all residential buildings in the commonwealth.

SECTION 3. (a) The secretary of energy resources is hereby authorized and directed to prepare a state plan and to promulgate such regulations as may be necessary to carry out the purposes of this act which include the following program requirements:

(1) requiring all utilities to offer the program requirements to all qualified customers,

(2) requiring demonstration of the performance or of the installation of no-cost or low-cost energy conservation measures, state measures, energy conserving practices and other appropriate program requirements during energy audits,

(3) establishing such registration, certification, training, and inspection programs with respect to energy auditors, suppliers, installers, lenders, and inspectors participating in the state plan as may be necessary or desirable for the protection of the public health, safety, and welfare,

(4) establishing and reviewing goals for delivery of energy audits and other program requirements to customers,

(5) requiring all utilities, either individually or cooperatively, to publicize the program through mailed program announcements and paid radio and newspaper advertising,

(6) establishing a public advisory committee as described in subsection (d),

(7) coordinating the Massachusetts residential conservation service and other state or federal laws promoting residential energy conservation, and

(8) delegating responsibility to carry out specific provisions of this act, as may be necessary, to any person,

(9) any and all other program requirements which are necessary or convenient to carry out (a) the energy audit purposes of this act and (b) the federal residential conservation service program.

(b) Nothing in this act shall impose a duty upon any customer to implement any measures recommended in an energy audit report.

(c) No person shall disclose the name of a customer or the contents of an energy audit report prepared for such customer to any person other than the customer, a subsequent purchaser of the audited building, the utility serving such customer, the secretary of energy resources, or their designees, unless the customer or subsequent purchaser waives his right to confidentiality with respect to such information provided, however, that tenants in an audited building shall have the right to inspect the energy audit report for the building in which they live. Energy audit reports shall not be deemed to be a public record as defined in clause Twenty-sixth of section seven of chapter four of the General Laws and shall not be subject to demand for production under section ten of chapter sixty-six of the General Laws.

(d) The public advisory committee described in subsection (a)(6) shall meet at a minimum on a quarterly basis to review implementation of the Massachusetts residential conservation service and to comment thereon to the secretary of energy resources or his designee. Such committee shall also review and comment on the plans developed by the utilities pursuant to

section six, prior to their implementation. The secretary of energy resources shall make such information and documents available to said committee in a timely fashion to enable it to perform such reviews. Said committee shall file an annual report with the clerk of the house of representatives no later than June thirty of each year. Persons having skills, expertise, and affiliations as follows shall be appointed to the committee by the secretary of energy resources:

(1) a representative from each individually constituted program;

(2) a representative of home heating suppliers;

(3) a representative of savings banks;

(4) a representative of commercial banks;

(5) a representative of contractors performing energy conservation retrofits;

(6) a representative of the residential renewable energy resource industry;

(7) a registered professional engineer experienced in retrofit and audit technologies;

(8) a representative from the Massachusetts Community Action Program Directors' Association;

(9) a representative from the realty profession;

(10) a representative from an independent, broad-based tenants' advocacy organization;

(11) a representative from an independent, broad-based senior citizens' advocacy organization;

(12) a representative from an independent broad-based consumer/citizen advocacy organization; and

(13) a representative from the department of public utilities.

Committee members shall be entitled to reimbursement for necessary and reasonable expenses incurred in carrying out their obligations under this act. Such expenses shall be paid from the funds collected by the secretary of energy resources pursuant to subsection (e) of section seven.

SECTION 4. A home heating supplier may be permitted by the secretary of energy resources to participate in the state plan pursuant to the requirements of this act.

SECTION 5. All utilities and participating home heating suppliers shall provide the program requirements to customers at such times and in such manner as may be prescribed in the state plan, provided, however, that with respect to a customer that owns or occupies a residential building containing more than four residential units, all utilities and participating home heating suppliers shall be required to commence offering to such customers said program requirements by January first, nineteen hundred and eighty-two, or such earlier date as may be required by federal law for the offering of said program requirements or substantially similar program requirements by any utility with respect to such buildings.

SECTION 6. (a) Within sixty days after the effective date of the state plan, each utility shall submit to the secretary of energy resources for approval a plan to implement the provisions of this act, including the manner in which a utility plans to meet the goals established by the secretary of energy resources for utility performance. The implementation plan may include a weatherization program only to the extent that the state plan approved by the United Stated Department of Energy permits such program. Such program shall conform to the requirements of the state plan and regulations established pursuant to this act and any orders of the United States Department of Energy relating thereto. No weatherization program shall be approved by said secretary where it would have the effect of making a customer ineligible to receive the energy audit benefits offered under the federal residential conservation service. If a utility fails to submit an acceptable implementation plan to the secretary of energy resources, the secretary may prepare an implementation plan for that utility. If at any time, the secretary determines that a utility's implementation plan is unsatisfactory, he may order that utility to amend its implementation plan.

(b) A utility may apply to the secretary of energy resources for permission to carry out any activity it is required to undertake under the state plan through a joint effort with one or more other utilities. The procedures for making such applications shall be prescribed by the secretary of energy resources. The secretary of energy resources shall approve such application if he finds that said joint effort would be in the public interest and such approval may be rescinded at any time if it is determined that said joint effort is no longer in the public interest. Whenever such application is denied or approval thereof is rescinded, the secretary of energy resources shall forward to all affected utilities a statement of his reasons for such decision.

SECTION 7. (a) Utilities shall utilize accounts and accounting methods as prescribed under the federal residential conservation service regulations or similar accounts and accounting methods as may be approved by the department to account for income and expenses arising under the Massachusetts residential conservation service.

(b) A utility shall annually submit its proposed operating budget for the Massachusetts residential conservation service to the department for review at least sixty days before it is to become effective. Said operating budget shall enumerate the income and expenses that will be necessary to carry out the state plan during the forthcoming period. After notice and an opportunity to be heard, the department shall, consistent with the state plan, review the reasonableness of the proposed expenditures and approve or approve with modification said operating budget. Such review shall be completed within sixty days after receipt of said operating budget.

A utility may, at any time, on its own motion, or as may be required by the department, amend its operating budget pursuant to procedures as shall be prescribed in the department and which shall include notice and an opportunity for a hearing.

(c) The charge to a customer for the audit of a single family dwelling shall not exceed twenty dollars, and for the audit of a multi-family dwelling said charge shall not exceed three cents per square foot of audited living space, provided that an additional charge for the audit of common areas shall be permitted. Said audit charges may be revised to reflect changes in prices as measured by the consumer price index of the United States Department of Labor, or any similar successor index. The audit charge may be reduced or waived for a low income customer as may be deemed appropriate by the secretary of energy resources. Within the limits described in this section, the secretary of energy resources shall establish and may from time to time adjust the audit charge.

(d) The difference between the amount a customer is charged as specified in the preceding subsection and the operating expenses incurred by a utility in carrying out its obligations under the state plan shall be treated as a current operating expense of providing utility service and charged to all ratepayers pursuant to the procedures specified in subsection (f). Such operating expenses include, but are not limited to, the following: (1) public education and program promotion including any on-site demonstrations required to be performed during the energy audit, (2) administrative and general expenses including those associated with energy audits, list distribution, customer billing services, arranging installation and financing and conciliation conferences, (3) supervisory costs as specified in subsection (e), and (4) the performance of energy conserving practices during an energy audit.

(e) The executive office of energy resources and the department are hereby each severally authorized to annually assess against each utility such amounts as may be necessary to permit said executive office or department, respectively, to carry out its responsibilities under this act, including, but not limited to, program development, administration and enforcement, certification, training, registration and inspection programs, and public education and promotion expenses, exclusive of paid advertising. Said assessments shall be based upon the intrastate operating revenues of a utility which are derived from electricity or gas sales within the commonwealth during the preceding calendar year. A utility shall pay such assessments to the commonwealth within thirty days of receipt of notice thereof. Said assessments shall be paid into the General Fund in accordance with section two of chapter twenty-nine of the General Laws.

In the event that a home heating supplier elects to participate in the state plan, the secretary of energy resources shall determine the appropriate manner of apportioning and assessing program expenses to such participating home heating suppliers.

The secretary of energy resources may enter into contracts and agreements with any person as may be necessary to carry out the purposes of this act.

(f) Notwithstanding the provisions of section ninety-four of chapter one hundred and sixty-four of the General Laws the department shall allow an electric or a gas company to recover during each calendar year any expenses that it may incur during said year in carrying out its reponsibilities under this act.

No later than ninety days after the effective date of the state plan, the department shall hold a generic proceeding to determine the appropriate method of distributing to all ratepayers of an electric or gas company the costs that are likely to be incurred by such companies in carrying out the state plan. Following such proceedings, the department shall, consistent with the provisions of this act, establish regulations applicable to said companies establishing the method of calculating and billing said charge.

The department shall annually hold public hearings to approve an adjustment to an electric or gas company's rates to reflect its projected expenses as forecasted pursuant to subsection (b) of section seven. A hearing shall be commenced within twenty-one days of the filing by a gas or electric company of an application for approval of the department for the imposition of such charge. The department shall render its decision on the imposition of the charge within twenty-one days of such hearing.

Each year the department shall review the income and expenses incurred by an electric company or a gas company during the preceding year in carrying out the Massachusetts residential conservation service. Any differences between the amounts collected and the amounts expended shall be reflected in an adjustment to a company's rates during the current period and any expenses which were unreasonable shall be deducted from the amounts to be charged during such period.

Upon the conclusion of the Massachusetts residential conservation service the department may make such determinations and issue such orders as it determines to adjust each company's rates for deficiencies or surpluses of revenue produced by such charge, and the department may continue said charge in effect for such time as is necessary to accomplish such adjustments.

Any utility not subject to the ratemaking authority of the department as described in chapter one hundred and sixty-four of the General Laws, shall charge all ratepayers for any expenses incurred by said utility in carrying out its responsibilities under this act; provided, however, that said nonregu-

lated utilities shall not be subject to the review of the department as described in this subsection.

(g) All utilities shall maintain complete and accurate records of all matters pertaining to the activities it is required to carry out under the state plan.

The department and the executive office of energy resources may from time to time request a utility or participating home heating supplier to provide any reports, papers, or documents which are necessary to carry out the purposes of this act, and said utilities and participating home heating suppliers shall provide such items.

Within thirty days after the last day of each year, a utility shall submit to the secretary of energy resources in such form as he may prescribe, a report of its activities during the preceding year relating to implementation of the state plan. Included in such report shall be a statement with respect to the success or lack of success of a utility in meeting the goals established by the secretary pursuant to clause (4) of subsection (a) of section three. Within thirty days after receipt thereof, the secretary of energy resources shall forward said reports along with a statement of his findings to the joint committee on energy and the house and senate committees on ways and means.

SECTION 8. (a) Any person alleging an injury caused by a utility from an activity carried out under the state plan or from a violation of the state plan may petition the department for relief and the department shall hold a hearing and issue an appropriate order pursuant to this chapter, and chapters twenty-five, thirty A, and one hundred and sixty-four of the General Laws. Whenever it appears that any such utility is causing injury arising from an activity carried out under the state plan or is violating the state plan or any state or federal law related thereto, the department shall, before issuing an order, request the secretary of energy resources to render an interpretative ruling with respect to any possible violations of the state plan or any laws related thereto. The department shall, consistent with such ruling, order such person to take any action necessary to carry out the state plan or to cease and desist from taking any action violating the state plan or to redress the injury arising from activities carried out under the state plan.

The department shall make available a conciliation conference for the purpose of resolving complaints by eligible customers against a utility which sells, installs, or finances the sale or installation of program requirements.

(b) Utilities and participating home heating suppliers shall make conciliation conferences available to customers for the purpose of resolving complaints against any person other than a utility who sells, installs, or finances the sale or installation of any program measure under the state plan.

(c) Any person or firm which appears on any list compiled by the executive office of energy resources under the state plan may be removed from such list for cause by the secretary of energy resources. Any energy auditor, home heating supplier, installer, supplier, lender, or inspector who the secretary of energy resources has reason to believe is violating the state plan may be suspended from participation therein before holding a hearing as provided in section thirteen of chapter thirty A of the General Laws, if such action would be in the public interest. Such persons may be permanently removed from said lists only after providing notice and an opportunity for a hearing.

(d) Any utility, energy auditor, home heating supplier, inspector, supplier, installer or lender participating in the state plan who violates any provision of this act or the state plan or an order issued by the secretary of energy resources or the department under this act shall be subject to a civil penalty in an amount not to exceed twenty-five thousand dollars per violation. The executive office of energy resources may assess such penalty after providing notice and an opportunity for a hearing. No electric or gas company may require its ratepayers to pay or reimburse it for such penalty.

(e) The executive office of energy resources may conduct any additional adjudicatory proceedings, which are determined to be necessary or desirable in carrying out the purposes of this act including redress proceedings to be made available to all persons alleging injury arising from an activity carried out under the state plan or from a violation of the state plan by any energy auditor, home heating supplier, supplier, inspector, installer, or lender participating in the state plan. The secretary of energy resources may order any person other than a utility which is found to be in violation of the state plan to take any action necessary to carry out the state plan or to cease and desist from taking any action violating the state plan. The secretary of energy resources may order any such person which has caused an injury arising from an activity carried out under the state plan to redress said injury.

(f) Any order of the secretary of energy resources under subsection (d) or (e) shall be effective and may be enforced according to its terms and enforcement thereof shall not be suspended or stayed by the entry of an appeal therefrom. The superior court for Suffolk county shall have jurisdiction over appeals of orders of the secretary of energy resources under this act and shall also have jurisdiction upon application of the secretary of energy resources to enforce all orders of said secretary under this act. The burden of proof shall be upon the appealing party to show that the order of the secretary of energy resources is invalid.

(g) The remedies provided herein are alternative in nature and an aggrieved person shall not be required to seek a particular remedy as a condition precedent to seeking any other remedy.

SECTION 9. The executive office of energy resources is hereby authorized and directed to prepare for and submit to the joint committee on energy by January first, nineteen hundred and eighty-one, a proposal for the creation of a board of registration for energy auditors and energy conservation installers doing business within the commonwealth.

SECTION 10. The provisions of this act are severable, and if any section or part of any section of this act shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, such judgment or decision shall not affect or impair any other section unless inseparable from the section or part adjudged invalid, but shall be confined in its operations to that section or part directly involved in the controversy on which such judgment shall have been rendered.

Approved July 11, 1980.

Chap. 466. AN ACT RELATIVE TO THE COMMONWEALTH ARMORY.

Be it enacted, etc., as follows:

SECTION 1. The armory commission, established under the provisions of section eighteen of chapter six of the General Laws, is hereby authorized to expend up to twenty-five thousand dollars to provide for an appraisal by three qualified and independent appraisers of the fair market value of the Commonwealth Armory. Said appraisal shall be completed within six months of the effective date of this act.

SECTION 2. The armory commission is hereby further authorized and directed to prepare a comprehensive report on the current status of national guard armories located within the commonwealth. Said report shall include an analysis of the operating costs of said armories, an estimate of the major repairs needed by each such armory, and a designated list of sites for new facilities to replace the Commonwealth Armory, if said armory is sold; provided, however, that the commission shall not consider any site on land which is currently used for park and recreational facilities, nor any land owned by the Massachusetts Bay Transportation Authority in the Oak Square section of the city of Boston. Said report shall also include the estimated costs of land acquisition and construction of new facilities, a determination of the availability of federal funding for such construction, should the commission deem such construction to be necessary, and a comparison of the costs of operating the Com-

monwealth Armory with the costs of replacement facilities. Said report is to be completed within six months of the effective date of this act.

Said commission is authorized to expend up to seventy-five thousand dollars to compile said report, which sum shall be reimbursed to the General Fund from the proceeds of the sale of the Commonwealth Armory, if said sale is consummated.

SECTION 3. Notwithstanding any other general or special law to the contrary, the armory commission in the name and on behalf of the commonwealth is hereby authorized and directed to sell the armory building in the city of Boston, known as the Commonwealth Armory, at a price no less than the fair market value established under the provisions of section one of this act, by a deed approved as to form by the attorney general; provided, however, that said commission deems such sale to be in the best interests of the commonwealth based upon the comprehensive report required by section two of this act; provided, further, that any such offer or sale shall not occur until and unless the general court shall have authorized construction of armories to replace the Commonwealth Armory if said replacement armories are deemed necessary by said commission.

SECTION 4. The armory commission shall file a copy of the appraisals required by section one of this act and also of the report required by section two with the clerk of the house of representatives and the clerk of the senate, and in any event no offer of sale or sale shall occur before January eighth, nineteen hundred and eighty-one.

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

Approved July 11, 1980

Chap. 467. AN ACT PROVIDING FOR THE DEFERRAL OF REPAYMENTS BY THE CITY OF SOMERVILLE TO THE COMMONWEALTH FOR OVERPAYMENTS MADE FOR SCHOOL AID FUNDS DISTRIBUTION APPROVED BY THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-NINE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the deferral of repayment by the city of Somerville to the commonwealth for overpayment made for school aid funds distribution, therefore 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, no adjustment or withholding of funds from the city of Somerville on account of monies paid to said city for general or special education charges for the fiscal year nineteen hundred and seventy-nine shall be made by the department of revenue during the fiscal year nineteen hundred and eighty-one; provided, however, that the said city of Somerville shall repay any amounts overpaid by the commonwealth for the fiscal year nineteen hundred and seventy-nine in equal installments over a period of five years commencing not sooner than the first local aid distribution in fiscal year nineteen hundred and eighty-one. In no event shall the aggregate of such repayments exceed the sum of nine hundred fifty-three thousand three hundred and forty-five dollars.

Approved July 11, 1980.

Chap. 468. AN ACT PROVIDING FOR THE DEFERRAL OF REPAYMENTS BY THE CITY OF SOMERVILLE TO THE COMMONWEALTH FOR OVERPAYMENTS MADE TO SAID CITY FOR SCHOOL AID FUNDS DISTRIBUTION APPROVED BY THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the deferral of repayment by the city of Somerville to the commonwealth for overpayment made for school aid funds distribution, therefore 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, no adjustment or withholding of funds from the city of Somerville on account of monies estimated to be received by said city through local aid distribution for general or special education charges for the fiscal year nineteen hundred and eighty shall be made by the department of revenue during the fiscal year nineteen hundred and eighty; provided, however, that the said city shall repay any amounts overpaid by the commonwealth for the fiscal year nineteen hundred and eighty in equal installments over a period of five years commencing not sooner than the first local aid distribution in fiscal year nineteen hundred and eighty-one. In no event shall the aggregate of such repayments exceed the sum of nine hundred sixty-nine thousand and fifty-five dollars.

Approved July 11, 1980.

Chap. 469. AN ACT AUTHORIZING THE NORFOLK COUNTY RETIREMENT BOARD TO CREDIT CERTAIN YEARS OF SERVICE BY FRANCIS A. THIBODEAU FOR PENSION PURPOSES IN COMPUTING HIS RETIREMENT ALLOWANCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the Norfolk county retirement board is hereby authorized and directed to credit the term of service of Francis A. Thibodeau as a commitment officer in said county during the period from nineteen hundred and fifty-three to nineteen hundred and sixty-one, for pension purposes in computing his retirement allowance; provided, however, that he pays into the fund of said system such amount with interest as said retirement board may determine as being equal to that which he would have paid into said fund had he been a member in service during said term and in accordance with the provisions of chapter thirty-two of the General Laws.

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

Approved July 11, 1980.

Chap. 470. AN ACT RELATIVE TO FINANCE CHARGES ON CERTAIN RETAIL INSTALLMENT SALES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase immediately the finance charge on retail installment sales, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 255D of the General Laws is hereby amended by striking out subsection B, as amended by section 36 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:-

B. An installment seller may, in a retail installment sale agreement, contract for, and if so contracted for the holder thereof may charge, receive, and collect a finance charge computed on the original amount financed of the contract or obligation not to exceed the rate of twelve dollars per hundred dollars per annum.

SECTION 2. The provisions of this act shall apply to contracts entered into on and after the effective date of this act.

Approved July 11, 1980.

Chap. 471. AN ACT EXEMPTING CERTAIN POSITIONS IN THE TOWN OF WESTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of plumbing inspector, assistant or alternate plumbing inspector, building inspector, assistant or alternate building inspector, inspector of wires and sealer of weights and measures in the town of Weston 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 11, 1980.

Chap. 472. AN ACT RELATIVE TO THE LEASING OF CERTAIN LAND CONTROLLED BY THE METROPOLITAN DISTRICT COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay necessary television and radio signals to certain citizens of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Chapter 92 of the General Laws is hereby amended by striking out section 13, as amended by section 2 of chapter 518 of the acts of 1950, and inserting in place thereof the following section:-

Section 13. The commission may, by lease, license or other agreement, permit the construction and maintenance, on any land under its control for water supply and water works purposes, of towers, poles, wires and other structures for the purpose of transmitting electric power or intelligence by electricity or for the purpose of transmitting, receiving, amplifying and redistributing television and radio signals over lands and waters of the commonwealth held for water supply purposes; provided, that, in the opinion of the commission, such lease, license or agreement will not affect or interfere with the metropolitan water supply, and provided, further, that no lease, license or agreement shall be given or made for a period of more than fifteen years.

Approved July 11, 1980.

Chap. 473. AN ACT DIRECTING THE GRANTING OF CERTAIN CREDITS FOR CERTAIN STATE SERVICE TO PETER H. LAPPIN.

Be it enacted, etc., as follows:

SECTION 1. Peter H. Lappin, legislative director in the department of public welfare shall for the purpose of determining his compensation, sick leave, vacation and seniority be credited with his service as a member of the executive council from the eighth councillor district from December fourteenth, nineteen hundred and seventy-seven to January fourth, nineteen hundred and seventy-nine, inclusive.

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

Approved July 11, 1980.

Chap. 474. AN ACT RELATING TO THE REGISTRATION OF SOURCES OF NONIONIZING RADIATION.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 5B, as most recently amended by section 15 of chapter 443 of the acts of 1970, and inserting in place thereof the following section:-

Section 5B. The department may require registration of sources of ionizing and nonionizing radiation and shall, from time to time, after a public hearing, prescribe and establish rules and regulations to control the radiation hazards of radioactive materials and of machines which emit ionizing and nonionizing radiation for the purpose of protecting the general public and individuals against hazards associated with the use, transportation, storage, packaging, sale, distribution, production and disposal thereof. Such rules and regulations shall not limit the kind and amount of radiation that may be intentionally administered by a person licensed to so administer radiation under the laws of the commonwealth. Such rules and regulations shall be filed with the state secretary at least thirty days prior to their effective date and shall become effective thirty days thereafter unless a later effective date is specified by the department. Whoever violates any such rule or regulation shall be punished by a fine of not less than ten nor more than fifty dollars. Whoever, after due notice, continues to violate any such rule or regulation shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars to the use of the commonwealth for each offense. Each day of such violation after such notice shall constitute a separate offense. The supreme judicial court or superior court, upon application of the department, or upon application of any party interested, with the approval of the department, may enforce such rules and regulations, and restrain the use or occupation of premises or

such portion thereof as the department may specifiy until such rules and regulations have been complied with.

Nothing in this section shall prevent the department of labor and industries from establishing rules and regulations for the protection of the health and safety of employees against ionizing radiation in any place of employment as defined in section one of chapter one hundred and forty-nine. Said department of labor and industries shall consult with the department of public health at least thirty days prior to the adoption or modification of any rules or regulations insofar as they pertain to the health aspects of ionizing and nonionizing radiation.

The department of public health shall establish rules and regulations of the commonwealth insofar as they pertain to the health aspects of ionizing and nonionizing radiation. Such rules and regulations shall apply exclusively throughout the commonwealth.

Approved July 11, 1980.

Chap. 475. AN ACT AUTHORIZING THE LONG TERM LEASING OF CERTAIN LAND AND BUILDINGS AT BELCHERTOWN STATE SCHOOL FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF FOOD AND AGRICULTURE, FOR THE PURPOSE OF PROMOTING THE ESTABLISHMENT OF A SMALL FARM DEMONSTRATION AND TRAINING CENTER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter nineteen of the General Laws or any other general or special law to the contrary, the department of mental health shall lease to the department of food and agriculture, for a period of ten years with an option to renew said lease for an additional ten years, so much of the agricultural lands, woodlots and farm buildings comprising the Belchertown state school as the commissioner of mental health shall determine is not necessary for the purposes of the department of mental health.

SECTION 2. Care and management of the agricultural lands, woodlots and farm buildings leased in accordance with section one shall be the responsibility of the department of food and agriculture. Any person may make application for the use of such land and buildings to the division of agricultural land use in the department of food and agriculture, which application shall contain such information as the director of the division of agricultural land use may from time to time prescribe but which shall, in any event, contain a plan for the use of such land and

buildings or part thereof for a demonstration and training center for small-scale farm operations. Any such land use plan shall comply with the provisions of this act and any regulations adopted hereunder from time to time by the department of food and agriculture. Such land use plan also shall be submitted by the applicant to the small-scale demonstration and training center review committee, described in section three, which committee shall review such plan and submit its comments to the director of the division of agricultural land use. Said director may select one or more applicants whose land use plans have been approved by him and found to be consistent with the purposes of this act, and the department of food and agriculture, acting through the division of agricultural land use, may lease to any such persons all or any portion of such land and buildings upon such covenants, terms and conditions as the director may deem desirable but which lease shall in any event obligate the lessee to maintain the land and buildings consistent with this act, any regulations adopted hereunder and the land use plan.

SECTION 3. There is hereby created the small-scale demonstration and training center review committee in the department of food and agriculture, the members of which shall be the commissioner of food and agriculture, the director of the division of agricultural land use, the director of the cooperative extension service of the University of Massachusetts, the dean of the college of food and natural resources of the University of Massachusetts and the dean of the Stockbridge school of agriculture of the University of Massachusetts, a member of the Belchertown conservation commission in the town of Belchertown and the superintendent of Belchertown state school. In addition to its duties set forth in section two, said committee shall meet from time to time with any lessee to review the demonstration and training programs being carried out by any such lessee and shall prepare and submit to the department of food and agriculture an annual report setting forth the activities being carried out by such lessee and said committee's recommendations with respect thereto.

SECTION 4. The commissioner of the department of food and agriculture shall adopt rules and regulations in accordance with chapter thirty A to carry out the purposes of this act.

Approved July 11, 1980.

Chap. 476. AN ACT PROVIDING THAT A CERTAIN LICENSE FOR THE PLACING OF FILL AND MAINTAINING STRUCTURES OF CERTAIN WATERS OF LAKE

QUINSIGAMOND IN THE CITY OF WORCESTER, SHALL BE IRREVOCABLE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the general court hereby finds and deduces that the following license and authority heretofore granted to fill and maintain fill or to erect or to maintain structures on a certain parcel of land in the city of Worcester has been granted in the public interest for a public purpose and is hereby made irrevocable:

That license granted by the department of environmental quality engineering of the commonwealth of Massachusetts to Joseph J. and Albina R. Kersus being license No. 601 dated December 4, 1979 and being recorded with the Worcester district registry of deeds in the county of Worcester in Book 6898, page 53.

Said license having been granted for the purpose of placing fill and maintaining fill and erecting or maintaining structures over certain waters on Lake Quinsigamond in the city of Worcester.

SECTION 2. The commonwealth hereby releases any conditions, express or implied arising by virtue of the granting by the commonwealth of said license, which conditions control or limit the use which the holder of such license may make of the fill or structures contained thereon:

A parcel of land now known as Number 139 Lake avenue, situated in the city of Worcester in the county of Worcester being shown on a plan of land entitled "Plan Accompanying Petition of Joseph J. and Albina R. Kersus to Maintain Concrete and Stone Retaining Wall, Fill, Wood Plank on I Beam Cantilever Dock, Wood Plank on Polythylene Float Dock, House and Two Fences" dated July 3, 1979 by Thompson-Liston Associates, Inc. and on said plan said premises are shown to contain 2180 square feet of land, more or less, and recorded with the Worcester district registry of deeds, Plan Book 471, Plan 14, end and bounded as follows:

Beginning at a point on the easterly side of Lake Avenue, which point is the northwest corner of the premises herein described and said point is also the southwest corner of land of Armand A. Letiecq;

thence N.71° 36'49" E. by said Letiecq land, 43.2 feet, more or less, to the present shore line of Lake Quinsigamond;

thence southerly along the present shore line of said Lake Quinsigamond, also being by a concrete and stone retaining wall, 47.2 feet, more or less, to land of Daniel M. Rice;

thence s.71° 36'49" w. by said Rice land, 50 feet, more or less, to the easterly side of Lake Avenue;

thence northerly by the easterly side of Lake Avenue, by a curve with a radius of 814.49 feet, the distance of 47.06 feet to the point of beginning.

The preceding description includes that portion of land described in the license No. 601 granted by said department of environmental quality engineering as follows:

An existing concrete and stone retaining wall having a length of approximately 47.2 feet may be maintained as constructed, having fill extending 22.2 feet and 23 feet respectively, northeasterly from the former shoreline.

An existing wood floating dock may be maintained as constructed at the southerly end of said existing retaining wall, said dock having a length of approximately 21.2 feet and a width of 4.0 feet and being fastened by two two inch iron pipes into said retaining wall.

An additional wood dock, secured by four "I" beams into said retaining wall and having a width of approximately 14.4 feet and a length of approximately 7.9 feet, may be maintained as constructed near the northerly end of said retaining wall.

SECTION 3. The commonwealth hereby releases to Joseph J. and Albina R. Kersus all its right, title, and interest in so much of the parcel of land situated in the city of Worcester, being shown in the plan of land entitled "Plan Accompanying Petition of Joseph J. and Albina R. Kersus to Maintain Concrete and Stone Retaining Wall, Fill, Wood Plank on I Beam Contilever Dock, Wood Plank on Polythylene Float Dock, House and Two Fences".

Approved July 11, 1980.

Chap. 477. AN ACT RELATIVE TO THE COST OF CERTAIN IMPROVEMENTS ADJACENT TO STATE HIGHWAYS.

Be it enacted, etc., as follows:

Section 21 of chapter 81 of the General Laws, as most recently amended by chapter 227 of the acts of 1975, is hereby amended by inserting after the fifth sentence, as added by section 3 of chapter 370 of the acts of 1963, the following sentence:- Any person who builds or expands a business or residential facility adjacent to a state highway so as to generate a substantial increase in traffic and who petitions the department to install standard traffic control signals, pavement markings channelization or other traffic devices to improve access and egress may be assessed up to seventy-five per cent of the cost of such improvements.

Approved July 11, 1980.

Chap. 478. AN ACT PROVIDING FOR THE PAYMENT OF A CERTAIN SUM FOR THE BURIAL OF A CHILD IN THE CARE OF THE DEPARTMENT OF SOCIAL SERVICES.

Be it enacted, etc., as follows:

Section 23 of chapter 119 of the General Laws is hereby amended by inserting after subsection G the following subsection:-

H. The department may pay a sum, not exceeding seven hundred dollars for the burial of a child in its care providing the cost of burial does not exceed nine hundred dollars and other resources are insufficient to pay for the cost of such burial. Any such resources shall be deducted from the maximum cost of the burial allowable hereunder and the difference, subject to the limitation set forth in this subsection shall be paid by the department.

Approved July 11, 1980.

Chap. 479. AN ACT RELATIVE TO ABUSE OF PATIENTS OR RESIDENTS IN LONG-TERM CARE FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 72E the following six sections:-

Section 72F. In sections 72F to 72L, inclusive, the following words shall have the following meanings:-

"Abuse", physical contact which harms or is likely to harm the patient or resident.

"Mistreatment", use of medications, isolation, or use of physical or chemical restraints which harms or is likely to harm the patient or resident.

"Neglect", the failure to provide treatment and services necessary to maintain the health and safety of the patient or resident, provided, however, no person shall be considered to be neglected for the sole reason that he relies or is being furnished treatment in accordance with the tenets and teachings of a well-recognized church or denomination by a duly accredited practitioner thereof.

"Facility", any facility required to be licensed under section seventy-one.

Section 72G. Any physician, medical intern, registered nurse, licensed practical nurse, nurse's aide, orderly, medical examiner, dentist, optometrist, optician, chiropractor, podiatrist, coroner, police officer, speech pathologist, audiologist, social

worker, pharmacist, physical or occupational therapist or health officer, paid for caring for a patient or resident in a facility who has reasonable cause to believe that a patient or resident of a facility has been abused, mistreated or neglected shall immediately report such abuse, mistreatment or neglect to the department by oral communication and by making a written report within forty-eight hours after such oral communication. 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.

In addition to those persons required to report pursuant to this section, any other person may make such a report if any such person has reasonable cause to believe that a patient or resident of a facility has been abused, mistreated or neglected. Any person making an oral or written report pursuant to this section shall not be liable in any civil or criminal action by reason of such report if it was made in good faith.

No facility shall discharge, or in any manner discriminate or retaliate against any person who, in good faith, makes such a report, or testifies, or is about to testify in any proceeding about the abuse, mistreatment or neglect of patients or residents in said facilities. A facility which discharges, discriminates or retaliates against such a person shall be liable to the person so discharged, discriminated or retaliated against, for treble damages, costs and attorneys' fees.

Said written reports shall contain the following information: the name and sex of the patient or resident; the name and address of the facility in which he resides; the age of the patient or resident, if known to the reporter; the name and address of the reporter and where said reporter may be contacted; any information relative to the nature and extent of the abuse, mistreatment or neglect, and, if known to the reporter, any information relative to prior abuse, mistreatment or neglect of such patient or resident; the circumstances under which the reporter became aware of the abuse, mistreatment or neglect; if known to the reporter, whatever action, if any, was taken to treat or otherwise assist the patient or resident; any other information which the reporter believes might be helpful in establishing the cause of such abuse, mistreatment or neglect and the person or persons responsible therefor; and such other information as may be required by the department.

Any privilege established by section twenty or twenty B of chapter two hundred and thirty-three, by court decision or by professional code relating to the exclusion of confidential communications and the competency of witnesses, may not be invoked in any civil action arising out of a report made pursuant to this section.

Section 72H. The department shall, subject to appropriation:

(1) notify the attorney general forthwith upon receipt of an oral or written report made under the provisions of section seventy-two G;

(2) investigate and evaluate the information reported in said reports. Said investigation and evaluation shall be made within twenty-four hours if the department has reasonable cause to believe the resident's health or safety is in immediate danger from further abuse or neglect and within seven days for all other such reports. The investigation shall include a visit to the facility, an interview with the resident allegedly abused, mistreated or neglected, a determination of the nature, extent and cause or causes of the injuries, the identity of the person or persons responsible therefor, and all other pertinent facts. Such determinations and evaluations shall be in writing;

(3) evaluate the environment of the facility named in the report and make a written determination of the risk of physical or emotional injury to any other residents in the same facility;

(4) forward to the attorney general within a reasonable time after a case is initially reported pursuant to section 72G, a summary of the findings and recommendations on each case;

(5) if it has reasonable cause to believe that a patient or resident has died as a result of abuse, mistreatment or neglect, immediately report said death to the attorney general, the district attorney for the county in which such death occurred, and to the medical examiner as required by section six of chapter thirty-eight;

(6) promulgate such regulations as may be necessary to implement the provisions of sections 72F through 72I, inclusive.

Section 72I. The department shall, subject to appropriation, maintain a file of the written reports prepared pursuant to this section and sections seventy-two G to seventy-two L, inclusive. Such written reports shall be confidential. The resident, or counsel, the reporting person or agency, the appropriate review board, or a social worker assigned to the case may, upon request, and upon the approval of the commissioner, receive a copy of the written report of the initial investigation. No such report shall be made available to any persons other than those enumerated in this section without the written and informed consent of the resident, the written approval of the commissioner, or an order of a court of competent jurisdiction. The name and all other identifying information relating to any resident, or to his facility, shall be removed from said reports ninety days after the department determines that the allegation of serious physical or emotional injury resulting from abuse or neglect cannot be substantiated. Any person who causes any

information in the files to be released without authorization to persons or agencies other than those specified in this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than two and one-half years, or both.

Section 72J. The department shall, subject to appropriation, maintain a central registry of information sufficient to identify residents whose names are reported pursuant to section seventy-two G or seventy-two H. Data and information relating to individual cases in the central registry shall be confidential and shall be made available only with the approval of the commissioner or upon an order of a court of competent jurisdiction. The commissioner shall establish rules and regulations governing the availability of such data and information. The name and all other identifying characteristics relating to any resident which is contained in the central registry, or to his facility, shall be removed ninety days after the department determines, after investigation, that the allegations of serious physical or emotional injury resulting from abuse or neglect cannot be substantiated.

Any person who causes the data and information stored in the central registry to be released without authorization to persons or agencies other than those specified in the rules and regulations shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than two and one-half years, or both.

Section 72K. The attorney general may recover a civil penalty of not more than two thousand five hundred dollars if any person abuses, mistreats or neglects a patient or resident of any facility required to be licensed under section seventy-one. Any action brought by the attorney general pursuant to this section shall be exempt from the provisions of section sixty B of chapter two hundred and thirty-one. This provision does not exclude any actions brought by the attorney general or a private party pursuant to chapter ninety-three A or to any action by the department of public health pursuant to this chapter.

Section 72L. Upon a finding of abuse, mistreatment or neglect, or failure to report such instances, by a licensed or registered professional, the department or the attorney general shall notify the appropriate board of registration as provided in chapter one hundred and twelve. If a licensed or registered professional has abused, mistreated or neglected a patient or resident or has failed to report such instances, the appropriate board shall suspend or revoke such person's license as provided in section sixty-one of chapter one hundred and twelve subject to the prescribed procedures.

SECTION 2. Chapter 265 of the General Laws is hereby

amended by inserting after section thirty-seven the following section:-

Section 38. Any person who knowingly and wilfully abuses, mistreats, or neglects a patient or resident of a long-term care facility required to be licensed under section seventy-one of chapter one hundred and eleven, shall be punished by imprisonment in a jail or house of correction for not more than two years or by a fine of not more than five thousand dollars, or by both such fine and imprisonment.

SECTION 3. The provisions of this act are severable and the invalidity of any section shall not affect the continuing validity of any other of said sections.

Approved July 11, 1980.

Chap. 480. AN ACT FURTHER REGULATING THE PRACTICE OF CERTAIN OCCUPATIONS AND PROFESSIONS BY CERTAIN PERSONS OR SURVIVING SPOUSES.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 8 of the General Laws, as most recently amended by section 5 of chapter 591 of the acts of 1946, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Scrub workers and cleaners employed by the commonwealth shall each receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, payable weekly.

SECTION 2. Chapter 112 of the General Laws is hereby amended by striking out section 36, as amended by section 6 of chapter 328 of the acts of 1934, and inserting in place thereof the following section:-

Section 36. The surviving spouse, executor or administrator of a registered pharmacist who has died or the spouse of one who has become incapacitated may continue his business under a registered pharmacist, who may also be considered qualified to receive a certificate of fitness under section thirty of chapter one hundred and thirty-eight authorizing him to exercise upon the premises of said deceased or incapacitated pharmacist the rights conferred by section twenty-nine of said chapter upon holders of said certificates; provided, that the registered pharmacist under whom the business is continued is in charge of the premises and present therein.

SECTION 3. Section 53 of said chapter 112 is hereby amended by striking out the first sentence, as amended by section 13 of chapter 757 of the acts of 1977, and inserting in place thereof

the following sentence:- Nothing in sections forty-three to fifty-two, inclusive, shall apply to treatment by a registered physician not practicing dentistry, in case where he deems treatment necessary for the relief of his patients, or prevent a registered dentist of another state or his assistant from operating at a public clinic under the auspices of a duly organized and reputable dental college or association, or prevent a student of a reputable dental college, incorporated under the laws of this commonwealth and granting degrees in dentistry, from performing operations as part of the regular college course, or prevent the surviving spouse, executor or administrator of a registered dentist who has died, or the spouse of one who is incapacitated, from continuing for not more than three years his or her business under a registered dentist, or prevent a dental intern registered as provided in section forty-five A from engaging in the practice of dentistry as authorized by said section.

SECTION 4. Section 83 of said chapter 112 is hereby amended by striking out the third paragraph, as amended by section 25 of chapter 925 of the acts of 1973, and inserting in place thereof the following paragraph:-

No person shall be registered by the board as a funeral director unless he has been found by the board upon examination to be eighteen years of age or over, a resident of this commonwealth, a citizen of the United States, of good moral character, a duly registered embalmer, unless such person is the surviving spouse of a duly registered and licensed funeral director; to have successfully completed a four-year high school course or has attained the practical equivalent of a high school education; to have satisfactorily completed a course of instruction of not less than nine months in a funeral directing school approved by the board or to have included and successfully completed the elements of such a course of instruction in his study schedule at the college or university which he has attended; to be qualified to prepare such death certificates and other documents as are required by the department of public health for the protection of the general public in the ordinary course of his business; to be familiar with the precautions to be taken to prevent the spread of communicable diseases as prescribed by the department of public health for the protection of the general public welfare; and to be conversant with the laws of the United States and of this commonwealth relative to (a) the custody of dead human bodies; (b) the preparation of such bodies for burial, cremation and shipment, as prescribed by the department of public health for the sanitary handling of dead human bodies by common carriers for the protection of public health; and (c) the cremation, burial and shipment of such bodies as prescribed by the

department of public health for sanitary handling of dead human bodies by common carriers for the protection of public health.

SECTION 5. Section 87F of said chapter 112 is hereby amended by striking out the definition of "Barber", as amended by section 1 of chapter 260 of the acts of 1934, and inserting in place thereof the following definition:-

"Barber", any person who, personally or by any other person, for compensation, shaves or trims the beard, cuts the hair, gives facial and scalp massaging, facial and scalp treatments with oils and creams and other preparations made for that purpose, either by hand or mechanical appliances, singes and shampoos the hair or applies any make of hair tonics, or dyes the hair, of any person; or any person who, without compensation, performs or offers to perform any of the above mentioned services for the public generally.

SECTION 6. Said section 87F of said chapter 112 is hereby further amended by striking out the definition of "Cosmetologist", as appearing in the Tercentenary Edition, and inserting in place thereof the following definition:-

"Cosmetologist", any person who, with hands or mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, engages for compensation in any one or any combination of the following practices, to wit:- Massaging, cleansing, stimulating, manipulating, exercising, beautifying the scalp, face, neck, arms, bust or upper part of the body, manicuring the nails, or removing of superfluous hair, by the use of electricity or otherwise, about the body of any person.

SECTION 7. Said chapter 112 is hereby further amended by striking out section 87S, as amended by chapter 362 of the acts of 1952, and inserting in place thereof the following section:-

Section 87S. Nothing in sections eighty-seven F to eighty-seven R, inclusive, shall be construed to refer to a beauty shop, so called, or a hairdressing parlor, so called, which do not provide those services required by law to be performed exclusively by barbers, or to a cosmetologist, as defined in section eighty-seven F. Sections eighty-seven F to eighty-seven R, inclusive, shall apply to barbers and owners of barber shops who are employed by the commonwealth.

Approved July 11, 1980.

Chap. 481. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY TO THE TOWN OF ASHLAND FOR SEWER PURPOSES CERTAIN EASEMENTS FOR THE SERVICE OF FOUNTAIN STREET AND CHESTNUT STREET IN SAID TOWN.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to convey to the town of Ashland certain permanent easements, for the purpose of constructing a pumping station and for additional sewer purposes, located near Fountain street and Chestnut street in the town of Ashland bounded and described as follows:-

The Area shown as Parcel C containing 516 square feet, on a Plan Entitled "Plan showing land of Commonwealth of Mass., M.D.C. required for construction and maintenance of Sewer Main" dated June, 1977 and drawn by Haley and Ward, Inc., Engineers, Waltham, Mass., to be recorded with the Middlesex south district registry of deeds in the county of Middlesex and according to said plan being bounded and described as follows:

Beginning at a point on the northeasterly sideline of Chestnut Street, said point being 143.5 feet southeasterly from the property line dividing land of Grantor, Lot 38, from land of Walter Parmensi, Lot 37;

Thence running N 60° 04' E, a distance of 21.92 feet, through land of Grantor, to a point on the easterly property line of Grantor:

Thence turning and running S 12°29'41"E, a distance of 31.44 feet, in the easterly property line of Grantor to a point:

Thence turning and running S 60°04'W, a distance of 12.5 feet, in the southeasterly property line of Grantor to a point on the northeasterly sideline of Chestnut Street;

Thence turning and running N 29°56'00"W, a distance of 30.00 feet, in the northeasterly sideline of Chestnut Street to the point of Beginning.

Thence running N 06°28'30"W, a distance of 79.20 feet, in the easterly sideline of Fountain Street to a point and the property line between Grantor's Land A land of Consolidated Railroad Company:

Thence turning and running N49°24'15"E, a distance of 64.0 feet in the property line between Grantor and Consolidated Railroad Company to a point:

Thence turning and running S 02°17'32"W, a distance of 149.69 feet, through land of Grantor to a point:

Thence turning and running S 06°39'15"E, a distance of 340.00 feet, through land of Grantor, to a point on the Northwesterly sideline of Union Street:

Thence turning and running S 56°59'45"W, a distance of 33.55 feet, in the northwesterly sideline of Union Street to the point of beginning.

The area shown as Parcel B containing 3,206 Square feet, on a plan entitled "Plan showing land of Commonwealth of Mass., M.D.C. required for Construction and Maintenance of Sewer

Main" dated June, 1977 and drawn by Haley and Ward, Inc., Engineers, Waltham, Mass., to be recorded with the Middlesex South District Registry of Deeds and according to said Plan being bounded and described as follows:

Beginning at a point on the Southeasterly sideline of Union Street, said point being at the property division line between Grantor, Lot 43, and Central Mass. Carpenter's Apprentice and Training, Inc., Lot 42;

Thence continuing N 57°09'45"E, a distance of 30.26 Feet, in the Southeasterly sideline of Union Street, to a point;

Thence turning and running S 40°21'00"E, a distance of 101.36 feet, through land of Grantor, to a point;

Thence turning and running S 36°24'45"W, a distance of 30.82 feet, in the Southeasterly Property line of Grantor, to a point on the property line between Grantor and Central Mass. Carpenter's Apprentice and Training, Inc.

Thence turning and running N 40°21'00"W, a distance of 112.38 feet in the above mentioned property line to the Southeasterly sideline of Union Street at the point of beginning.

The area shown as parcel A containing 15,130 square feet, on a plan entitled "Plan showing land of Commonwealth of Mass., M.D.C. required for construction and maintenance of Sewer Main" dated June, 1977 and drawn by Haley and Ward, Inc., Engineers, Waltham, Mass., to be recorded with the south district registry of deeds in the county of Middlesex and according to said plan being bounded and described as follows:

Beginning at a point, at the intersection of the Northwesterly sideline of Union Street and the Easterly sideline of Fountain Street;

Thence running N 06°39'15"W, a distance of 387.83 feet in the easterly sideline of Fountain Street, to a point marked by a Stone Bound;

Approved July 11, 1980.

Chap. 482. AN ACT PERMITTING THE FINANCING OF HEALTH MAINTENANCE ORGANIZATIONS UNDER THE MASSACHUSETTS HEALTH AND EDUCATIONAL FACILITIES AUTHORITY ACT.

Be it enacted, etc., as follows:

Section 3 of chapter 614 of the acts of 1968 is hereby amended by striking out paragraph (g), inserted by section 5 of chapter 454 of the acts of 1969, and inserting in place thereof the following paragraph:-

(g) "Hospital", a nonprofit hospital within the commonwealth licensed by the department of public health or a nonprofit health maintenance organization within the commonwealth licensed by the commissioner of insurance.

Approved July 11, 1980.

Chap. 483. AN ACT ESTABLISHING THE BRIGGSVILLE WATER DISTRICT IN THE TOWN OF CLARKSBURG.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Clarksburg, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit:-

Beginning at the southwest corner of the abutment of Bridge #C-15-1 on Massachusetts State Highway Route 8, said bridge crossing the north branch of the Hoosic River;

Thence S 66° 53' E across said Route 8 a distance of 186 feet, more or less, to a point;

Thence S 61° 58' W a distance of 419 feet, more or less, to a point;

Thence S 82° 05' W a distance of 551 feet, more or less, to a point;

Thence S 68° 25' W, 402 feet, more or less, to a point;

Thence S 52° 53' W, 623 feet, more or less, to a point;

Thence S 64° 40' W 355 feet, more or less, to a point;

Thence S 62° 47' W, 472 feet, more or less, to a point;

Thence S 69° 26' W, 398 feet, more or less, to a point;

Thence S 16° 03' W, 637 feet, more or less, to a point;

Thence S 21° 41' W, 263 feet, more or less, to a point;

Thence N 61° 23' W, again crossing said Route 8 a distance of 338 feet, more or less, to a point;

Thence N 10° 10' W a distance of 889 feet, more or less, to a point;

Thence N 32° 46' E a distance of 224 feet, more or less, to a point;

Thence N 89° 52' E a distance of 405 feet, more or less, to a point;

Thence N 0° 12' W a distance of 283 feet, more or less, to a point;

Thence N 38° 55" E a distance of 581 feet, more or less, to a point;

Thence N 72° 8' E a distance of 420 feet, more or less, to a point;

Thence S 85° 06' E a distance of 339 feet, more or less, to a point;

Thence S 0° 48' W a distance of 71 feet, more or less, to a point;

Thence N 82° 24' E a distance of 1,846 feet, more or less, to the point of beginning.

The directions for the above courses are approximately based on the meridian of the Massachusetts State Plan Coordinate system, mainland zone, longitude 71° 30' W as scaled from the USC & GS topographic quadrangle, and encloses a portion of the section of the Town of Clarksburg commonly called Briggsville, and is more particularly shown on a plan entitled "Boundary of Proposed Briggsville Water District in the Town of Clarksburg, Mass." dated August 15, 1979, prepared by Gordon E. Ainsworth & Associates, Inc., which plan is to be filed in the Northern Berkshire Registry of Deeds at Adams, Massachusetts, shall constitute a water district and are hereby made a body corporate by the name of the Briggsville Water District, hereinafter called the District, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of the District, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The District shall have power to prosecute and defend all actions relating to its property and affairs. If it should be desirable to expand the area of the District within said town, the District may be expanded provided the people in the proposed expanded area at a duly called meeting for such purpose consent to such expansion.

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

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under

authority thereof may recover such damages from the District under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the District may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Briggsville Water District Loan, Act of 1980. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The District shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act, and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the District, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the District by the assessors of said town annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the District. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the District for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the District in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid in the extinguishment of fire from 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 treasurer of the District for the use and benefit of the District. The District may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the District to be held prior to the qualification of a majority of the water commissioners, shall be called on petition of ten or more legal voters therein, by a warrant from the board of 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 fourteen days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the District shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the District.

SECTION 9. The District shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in the District, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one

year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to the District by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the District may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the District shall elect by ballot, each for a term of one year, a clerk and a treasurer of the District. The treasurer of the District 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 the District at any legal meeting called for the purpose. No money shall be drawn from the treasury of the District on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction then 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 said District may be called, notified, and conducted; and, upon the application of ten or more legal

voters in the District, meetings may also be called by warrant as provided in section eight. The District may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever willfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or willfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the District for any of the purposes of this act, shall forfeit and pay to the District three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above 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, or both.

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said District and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion thereof, said 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 the 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 11, 1980.

Chap. 484. AN ACT REQUIRING BANKS WHICH LEASE SAFE DEPOSIT BOXES FOR RENT TO GIVE NOTICE TO LESSEES DISCLOSURE RELATIVE TO INSURANCE ON CONTENTS OF SUCH SAFE DEPOSIT BOXES.

Be it enacted, etc., as follows:

Section 17 of chapter 158 of the General Laws, as most recently amended by chapter 324 of the acts of 1979, is hereby further amended by inserting after the first paragraph the following paragraph:-

Any bank which leases a safe deposit box for rent shall advise the lessee in writing that insurance coverage for the contents of such safe deposit box is not provided by such bank, but that the lessee may, at his own expense, insure said contents with an insurance company of his own selection. The commissioner of banks shall establish such rules and regulations as he deems necessary to carry out the purposes of this paragraph.

Approved July 11, 1980.

Chap. 485. AN ACT FURTHER DEFINING RENEWABLE ENERGY SOURCE PROPERTY.

Be it enacted, etc., as follows:

The second paragraph of subsection (d) of section 6 of chapter 62 of the General Laws, as appearing in section 9 of chapter 796 of the acts of 1979, is hereby amended by inserting after the word "property", in line 2, the second time it appears, the words:- including materials and component parts thereof separately purchased and assembled by such residential property owner.

Approved July 11, 1980.

Chap. 486. AN ACT TO ASSIST CITIES AND TOWNS IN THE COMMONWEALTH TO FINANCE THE CONSTRUCTION, RECONSTRUCTION, REHABILITATION AND EXPANSION OF FACILITIES FOR CIVIC AND CONVENTION CENTERS AND EXHIBITION HALLS.

Be it enacted, etc., as follows:

SECTION 1. It is hereby found and declared that the existing sources of funding to provide suitable facilities for civic and convention centers and exhibition halls do not provide adequate means for financing such facilities and that the existence of such gathering places for large numbers of people contributes substantially to the public interest, welfare and economic well-being of the commonwealth by bringing a large influx of out-of-state visitors into the local economy and by promoting tourism. It is further found and declared that the lack of such facilities contributes to a condition of economic dislocation, and the diversion

from the commonwealth of substantial revenues which would otherwise be expended within the commonwealth, and that providing state assistance for such facilities will aid in the correction of this economic dislocation, and will assist in the creation of substantial employment opportunities for residents of the commonwealth, thereby helping to reduce unemployment and to maintain a high level of economic activity within the commonwealth.

SECTION 2. The secretary of administration hereinafter called the secretary, is hereby authorized and directed to establish a program to assist cities and towns or consortiums of contiguous cities, towns or any combination thereof, hereinafter to be called a consortium, in undertaking any project to acquire land, including buildings thereon, to construct, reconstruct, rehabilitate finish or expand facilities to be used as municipal civic or convention centers or exhibition halls, without acceptance by the commonwealth of responsibility for maintenance.

The secretary may, under the provisions of this act, provide grant funds to such cities, towns or consortiums for projects authorized by this section.

SECTION 3. The secretary shall establish rules and regulations which shall govern the application for and distribution of grant funds under the provisions of this act. Any such rules or regulations, or any amendment or repeal of any such rules or regulation shall, after compliance with all applicable provisions of chapter thirty A of the General Laws, be filed with the clerk of the house of representatives and the clerk of the senate.

SECTION 4. Any city, town or consortium may, by vote of the city council and approval of the city manager in a city having a Plan D or Plan E form of charter, or with the approval of the mayor in any other city, by vote of a town at an annual town meeting or at a special town meeting called for that purpose or in a municipality having a town council form of government by the town council, make application to the secretary for financial assistance in undertaking a project described in section one of this act, provided that such assistance does not exceed seventy per cent of the total cost of any one project. The application shall include the proposed cost of the project, the proposed location of such project and any such other information specified by such rules or regulations.

In determining the level of such funding the secretary shall consider, among others, the following factors: (a) the extent to which the project will have a beneficial impact upon the economic and revitalization efforts of said city, town or consortium as well as the commonwealth; (b) the extent to which such project will enhance the introduction of convention and tourist moneys into

the state and local economies; (c) the extent to which the project is integral to the success of such efforts and; (d) the extent of private financial commitment to the project.

The secretary shall make a determination within forty-five days from the date of application. Upon the approval of said application, the secretary shall notify the city, town or consortium as to the total amount of state aid for such project.

SECTION 5. Any city or town may, by vote of the city council and approval of the city manager in a city having a Plan D or Plan E form of charter, or with the approval of the mayor in any other city, by vote of a town at an annual town meeting or at a special town meeting or in a municipality having a town council form of government by the town council called for that purpose, appoint a commission, to be known as the civic and convention center commission or the exhibition hall commission, and fill vacancies occurring therein, of five members, to act on behalf of the city or town in carrying out the purposes of this act. The commission shall annually elect a chairman and treasurer.

Any consortium, by vote of each city or town as hereinbefore described, may appoint a commission, to be known as the civic and convention center commission or the exhibition hall commission, consisting of two members from each community within the consortium who shall be residents of the respective community appointed by vote as hereinbefore described. Said commission shall annually elect a chairman and treasurer.

Each such commission shall establish a special fund, to be known as the civic and convention center or the exhibition hall fund and shall deposit in such fund, in addition to any monies so determined to be deposited by the city, town or consortium, any grant funds received under the provisions of sections two, four and seven of this act, which amounts may be expended by the treasurer as authorized by a majority vote of the commission and without further appropriation; provided, that an annual report shall be submitted to the director of the bureau of accounts by the city auditor or the town accountant; and provided, further, that all such funds shall be used solely for the purpose of paying for the cost of a project under the provisions of this act; provided, however, that a report including an audit prepared by a certified public accountant shall be submitted annually by the commission to the director of the bureau of accounts, the secretary of administration and the house and senate committees on ways and means.

SECTION 6. Each civic and convention center commission, or exhibition hall commission, on behalf of the city, town or consortium, shall have the authority to employ agents, managers

and employees, enter into contracts and loans, subject to approval of town counsel or city solicitor as to form, and may exercise any other powers necessary to carry out the purposes of this act.

All revenues from such civic and convention centers shall be funds of the city, town or consortium, except as otherwise provided by this act.

SECTION 7. In addition to authority otherwise granted by law, for the purpose of paying all or a portion not less than thirty per cent of the total cost of any project authorized under the provisions of this act, any city or town may apply for and receive federal grants of monies and may appropriate money, to be raised by taxation or the issuance of bonds or notes, at one time or from time to time, to be payable in not more than twenty years from their dates. Such borrowing shall require a two-thirds vote by an annual town meeting or a special town meeting called for that purpose, in the case of a town or in a municipality having a town council form of government by two-thirds vote of the town council, or by a two-thirds vote of a city council with the approval of the city manager in a Plan D or Plan E form of charter, or with the approval of the mayor in any other city.

Such bonds and notes shall bear on their face the words, Civic and Convention Loan, Act of 1980 or, Exhibition Hall Loan, Act of 1980, whichever is appropriate. Bonds and notes issued from time to time under the authority of this act shall not be included in determining the limit of indebtedness of the city or town as established by law but shall otherwise be subject to the provisions of chapter forty-four of the General Laws, with the exception of section eight A of said chapter forty-four, including the provisions of sections seventeen and seventeen A thereof relative to temporary loans in anticipation of the issue of bonds and notes.

SECTION 8. To meet the expenditures necessary in carrying out the provisions of sections two and four of this act, the state treasurer shall, upon the request of the secretary of administration, with the approval of the governor, issue and sell at public or private sale, bonds or notes of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount specified by the governor from time to time, but not exceeding, in the aggregate, thirty million dollars. All bonds or notes issued by the commonwealth as aforesaid shall be designated on their face the words, Civic and Convention Center Reimbursement Loan, Act of 1980 or Exhibition Hall Reimbursement Loan, Act of 1980, whichever is appropriate, 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 or notes 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 or notes shall be payable not later than one year from the date of issue thereof. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 9. The provisions of sections thirty-seven to forty-four, inclusive, of chapter forty-three of the General Laws and section eight A of chapter forty-four of the General Laws shall not be applicable to a city or town acting under the provisions of this act.

SECTION 10. The authorization granted by this act to incur indebtedness and to appropriate and expend funds shall be in addition to and shall not be restricted by any limitation on the amount of indebtedness or expenditures established by the provisions of any other general or special law.

SECTION 11. This act shall take effect upon its passage.

Approved July 12, 1980.

Chap. 487. AN ACT TO ASSIST THE CITIES AND TOWNS TO FINANCE THE CONSTRUCTION OF OFF-STREET PARKING FACILITIES IN COMMERCIAL AREA REVITALIZATION DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. In addition to any authority otherwise granted by law, any city or town having a population exceeding twenty thousand according to the most recent national census, may undertake a project for the purpose of providing public off-street parking facilities within a predominantly commercial area as provided in a commercial area revitalization plan established under the provisions of clause (k) of subsection (2) of section twelve of chapter forty D of the General Laws, hereinafter called a commercial area revitalization district.

The mayor of any city, or in a city with a Plan D or Plan E charter, the city manager, or the board of selectmen, or the town council in a town may designate or establish an agency, board, commission, department, or authority in the city or town,

hereinafter called the agency, to act on behalf of the city or town to develop and implement said project. Upon such designation or establishment, the city or town, acting by and through the agency, shall have all the powers necessary to carry out the purpose of this section. Such powers shall include:-

(a) The power to acquire by purchase, gift, or otherwise, or by eminent domain under chapter seventy-nine and chapter eighty A, and to hold such property, real or personal, or any interest therein located in a commercial area revitalization district within the city or town, as the agency determines necessary to provide sufficient public off-street parking facilities within said district.

(b) The power to clear, grade, surface, and resurface land acquired or used for the purpose of this section, and to own, construct, reconstruct, operate, and maintain thereon such facilities for public off-street parking as are determined necessary for said district, and to annually set such rates to be charged for use of such facility by the public as the agency determines appropriate.

(c) The power to contract for service for a maximum period not exceeding five years. The power to lease for a period not exceeding ninety-nine years, as lessee, or to purchase air space above any real property within the boundaries of any commercial area revitalization district located within the city or town, and to construct said public off-street parking facilities within such air space. The agency may also similarly lease or purchase such parts of real property below such air space as may be necessary for structural supports and means of ingress and egress to and from the public off-street parking facility to be constructed within such air space.

(d) The power to lease all or part of any public off-street parking facility to be used, operated, and maintained by the lessee, or lessees for public parking and other compatible uses, upon such terms as the agency shall determine provided, however that any rate schedule shall be reviewed and approved annually by the agency, and also set forth regulations with respect to the use, operation, and occupancy of the property demised.

(e) The power to operate and maintain all other parking facilities, on-street or off-street, or any portion thereof operated and maintained within the boundaries of any such commercial area revitalization district.

SECTION 2. The secretary of administration hereinafter called the secretary, is hereby authorized to establish a program to assist cities and towns in undertaking any project to provide public off-street parking facilities in commercial area revitaliza-

tion districts pursuant to section one of this act. Said secretary may, from funds provided, provide grant funds to any city or town in an amount determined equitable by said secretary to undertake such a project; provided, however, that said project has been approved by said secretary and provided that the amount of such grant shall not exceed seventy per cent of the cost of undertaking a project. Such funds to any one city or town shall not exceed thirty-three per cent of the total provided in section four of this act. In determining whether to approve a project, and in determining the level of the grant, said secretary shall consider, among others, the following factors: whether the project is consistent with the commercial area revitalization plan for the district, the extent to which the project will have a beneficial impact upon revitalization efforts within the district, the extent to which the project is integral to the success of such efforts, the extent of firm private financial commitment to the district, and the percentage of the population of the city or town which is below the poverty level.

SECTION 3. Any city or town authorized under the provisions of section one of this act may incur debt, within the limit of indebtedness prescribed in section ten of chapter forty-four of the General Laws, for the construction of off-street parking facilities in predominantly commercial areas as set forth in a commercial area revitalization plan as defined in clause (k) of subsection (2) of section twelve of chapter forty D of the General Laws, twenty years, but the indebtedness shall not exceed three per cent of the last preceding equalized valuation of the city or town.

SECTION 4. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon the request of the secretary of administration, with the approval of the governor, issue and sell at public or private sale, bonds or notes of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount specified by the governor from time to time, but not exceeding in the aggregate twelve and one-half million dollars. All bonds or notes issued by the commonwealth as aforesaid shall be designated on their face the words, Parking Facilities Reimbursement Loan, Act of 1980 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 or notes 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 or notes shall be payable not later than one year from the date of issue thereof and the entire issue not later than December thirty-first, two thousand and twenty-one.

Approved July 12, 1980.
EMERGENCY LETTER - August 22, 1980 @ 3:30 P.M.

Chap. 488. AN ACT PROHIBITING THE ENFORCING OF CERTAIN THIRD-PARTY ACTIONS IN INDUSTRIAL ACCIDENT CASES FOR A CERTAIN PERIOD OF TIME.

Be it enacted, etc., as follows:

Section 15 of chapter 152 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 888 of the acts of 1971, and inserting in place thereof the following sentence:- Either the employee or insurer may proceed to enforce the liability of such person, but the insurer may not do so unless compensation has been paid in accordance with sections six, seven, eight, ten or eleven nor until seven months following the date of such injury.

Approved July 11, 1980.

Chap. 489. AN ACT PROVIDING TENURE FOR THE SUPERINTENDENT OF PUBLIC WORKS AND THE ASSISTANT SUPERINTENDENT OF PUBLIC WORKS OF THE CITY OF NEWBURYPORT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any law to the contrary, the tenure of office of Joseph E. Keefe, incumbent of the office of superintendent of public works of the city of Newburyport, and the tenure of office of George S. Zanni, Jr., incumbent of the office of assistant superintendent of public works of said city, shall be unlimited until each person reaches the age of seventy years; provided, however, that each person may be removed for cause after a hearing in the manner provided under the provisions of chapter thirty-one of the General Laws.

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

Approved July 14, 1980.

Chap. 490. AN ACT PROVIDING FOR INCREASED HOUSING UNITS IN THE COMMONWEALTH.

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

Be it enacted, etc., as follows:

SECTION 1. Section 41 of chapter 121B of the General Laws, as most recently amended by section 6 of chapter 996 of the acts of 1977, is hereby further amended by striking out in the second and fourth sentences the words "six hundred and thirty-four million dollars", each time they appear, and inserting in place thereof in each instance the following words:- seven hundred and one million dollars.

SECTION 2. Section 8 of chapter 4 of the acts of 1976, as most recently amended by section 1 of chapter 714 of the acts of 1979, is hereby further amended by striking out in lines 2 and 3 the words "seven hundred and eighty-seven" and inserting in place thereof the following words:- eight hundred and sixty-four.

SECTION 3. Section 10 of said chapter 4, as most recently amended by section 2 of said chapter 714, is hereby further amended by striking out in line 9 the words "seven hundred and eighty-seven" and inserting in place thereof the words:- eight hundred and sixty-four.

SECTION 4. Section 34 of chapter 121B of the General Laws, as most recently amended by section 5 of chapter 815 of the acts of 1977, is hereby further amended by striking out in the second sentence the words "one hundred and twenty-eight million" and inserting in place thereof the words:- one hundred and thirty-eight million.

SECTION 5. Chapter 694 of the acts of 1970 is hereby amended by striking out section 1, as most recently amended by section 3 of chapter 996 of the acts of 1977, and inserting in place thereof the following section:-

Section 1. The department of community affairs is hereby authorized to expend a sum not exceeding one hundred and sixty-seven million five hundred thousand 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, 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 forty-five million dollars; and provided further, that under the authorization provided for in this section the department shall give priority to bringing state-aided projects into compliance with the state sanitary code; provided, further, that twenty million dollars of such authorization shall be available for use only for financial assistance for the project of the Boston housing authority known and designated in the records of said housing authority as "Project No. 200-1"; provided, further that two million dollars shall be expended for the renovation, reconstruction, repair, landscaping and improvement of the Faneuil Housing Project in the Brighton section of the city of Boston; provided, further, that at least two 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; and provided further, that not less than ten million dollars of such authorization shall be used to provide energy conservation and cost-saving energy improvements in existing state-aided projects. Said department shall monitor and report on the effectiveness of authorizations under this act for energy conservation and cost saving energy improvement and shall file said report, together with drafts of legislation necessary to carry into effect any recommendations the department might make, with the clerks of the senate and house of representatives and the joint committee on urban affairs on or before the last Wednesday in April of each year.

SECTION 6. Section 4 of said chapter 694, as most recently amended by section 3 of chapter 477 of the acts of 1976, is hereby further amended by striking out in the first sentence the words "seventy-five million dollars" and inserting in place thereof the words:- one hundred and sixty-seven million five hundred thousand dollars.

SECTION 7. Notwithstanding the provisions of section thirty-nine of chapter one hundred and twenty-one B of the General Laws or any other general or special law to the contrary, the commonwealth, acting by and through the department of community affairs, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a grant by the commonwealth for the purchase of condominium units for elderly persons of low income. The total amount of grants so contracted for shall not exceed one million dollars of

the amount provided by section one of this act. Said department shall require, to the extent practicable, that the purchase or acquisition of such units be made in accordance with the provisions of sections thirty-nine and forty of said chapter one hundred and twenty-one B and that a copy of any agreement entered into by the housing authority and the owner of the condominium be filed with the department within thirty days of its signing for public inspection; provided, however, that no such units shall be purchased after July first, nineteen hundred and eighty-one unless otherwise authorized by law; provided further that not more than six units may be purchased in any one building complex.

Said department shall monitor the effectiveness of such contracts in providing suitable housing and living arrangements for elderly persons of low income and shall report to the general court the number, cost and location of all condominium units purchased or acquired since passage of this act. Said report shall be filed, together with drafts of legislation necessary to carry into effect any recommendations the department might make, with the clerks of the senate and the house of representatives, the house and senate committees on ways and means and the joint committee on urban affairs not later than the last Wednesday in May, nineteen hundred and eighty-one.

SECTION 8. Section 4 of chapter 884 of the acts of 1973 is hereby amended by striking out in the first sentence the words "ten million", and inserting in place thereof the words:- twenty million.

SECTION 9. Section 6 of said chapter 884 of the acts of 1973 is hereby amended by striking out in the first sentence thereof the words "ten million", and inserting in place thereof the words:- twenty million.

SECTION 10. The terms defined in section 1 of chapter 121B of the General Laws, whenever used in this section, unless a different meaning clearly appears from the context, shall have the meanings set forth in said section one.

On and after the effective date of this act, whenever issuing bonds of the commonwealth now or hereafter authorized pursuant to section four of chapter six hundred and ninety-four of the acts of nineteen hundred and seventy, as amended, to finance the development cost of residential units within housing projects which meet the requirements of this section, the state treasurer may, upon request of the governor and the department, issue such bonds of the commonwealth pursuant to the additional provisions of this section.

Residential units within housing projects shall be deemed to meet the requirements of this section if the secretary of com-

munities and development shall certify as follows: (i) that the department has made or entered into commitments to make expenditures, pursuant to section one of said chapter six hundred and ninety-four and pursuant to the applicable provisions of said chapter one hundred and twenty-one B, to provide for the development cost of such residential units; (ii) that the department has been notified by the United States Department of Housing and Urban Development, or its successor within the federal government, that all residential units with respect to which such expenditures are to be made, except for any unit which may be designated for use by a manager or custodian for the housing project, have been approved for subsidy payments pursuant to Section 8 of the United States Housing Act of 1937, as amended, in that an Annual Contribution Contract or an Agreement To Enter Into Housing Assistance Payments Contract, as such terms are used in the federal regulations applicable to Section 8 of said United States Housing Act, shall have been executed with respect to such units in such housing project; and (iii) that as a condition of making any such expenditures the department shall require that the housing authority which owns each such housing project pledge at least such portion of the revenues to be derived from the units with respect to which such expenditures are to be made, including without limitation revenues consisting of subsidy payments pursuant to Section 8 of said United States Housing Act, as shall be determined in the opinion of the secretary of communities and development to be sufficient to cover, and such pledge shall secure, the full and final payment of the principal and redemption price of and interest and sinking fund installments on any bonds issued pursuant to chapter six hundred and ninety-four to finance such units, such pledge to be made on such terms and conditions, in such manner and subject to such prior pledges or liens as said secretary shall prescribe or approve.

There is hereby established and set up on the books of the commonwealth a separate fund to be known as the General Obligation-Federally Assisted Housing Bond Debt Service Fund. Whenever issuing bonds authorized pursuant to chapter six hundred and ninety-four and pursuant to the additional provisions of this section, the state treasurer shall substitute the words "Federally Assisted" for the word "Public" in the designation set forth on the face of such bonds. In making grants for residential units in housing projects which meet the requirements of this section and are to be financed pursuant to this section, the department shall provide by contract with the United States Department of Housing and Urban Development and with housing authorities for the deposit into the General Obli-

gation-Federally Assisted Housing Bond Debt Service Fund of the housing project revenues pledged pursuant to clause (iii) of the third paragraph of this section, subject only to such conditions as may be imposed by said department pursuant to Section 8 of the United States Housing Act of 1937 or the federal regulations applicable thereto. All principal interest and sinking fund payments, and any redemption premiums, on bonds issued pursuant to the additional provisions of this section shall be paid from said Fund without further appropriation to the extent of available monies therein. Amounts on deposit in said Fund shall be invested in accordance with the provisions of chapter twenty-nine of the General Laws and may be transferred to the commonwealth's General Fund at the end of each fiscal year upon certification to the state treasurer from the secretary of communities and development that such amounts are not required for payments described in the preceding sentence, taking into consideration deposits to the General Obligation-Federally Assisted Housing Bond Debt Service Fund reasonably anticipated during succeeding fiscal years. In the discretion of the state treasurer, sub-accounts within such Fund may be established from time to time with trustees under any trust indentures pursuant to which bonds issued under section four of said chapter six hundred and ninety-four and this section are issued and amounts on deposit in such sub-accounts may be invested in accordance with the provisions of such indentures. Notwithstanding any provisions of this section to the contrary, however, bonds issued under section four of said chapter six hundred and ninety-four and hereunder shall be general obligations of the commonwealth payable from its general funds to which its full faith and credit is pledged for the payment of principal and interest when due and shall be issued in all respects in accordance with said section four and other applicable laws except as otherwise set forth herein.

SECTION 11. Section 26A of chapter 121B of the General Laws, as most recently amended by section 8 of chapter 1215 of the acts of 1973, is hereby further amended by adding at the end thereof the following paragraphs:-

Notwithstanding the provisions of the foregoing, in any city where the department finds that the purpose of providing adequate housing for families of low income and the need for neighborhood revitalization would best be served if the department acts as a housing authority, the department shall have all the powers of a housing authority under this chapter, including, the power to contract directly with any private non-profit corporation for the purpose of developing and managing housing projects for families of low income pursuant to section thirty-one of

this chapter involving the purchase or acquisition of the right to use completed or remodeled dwelling units whether condominium units, individual buildings part of a larger development, or a portion of the units in a multi-family development, or the construction of new buildings; provided, however, that the department shall obtain the approval of the mayor and the city council; and provided, further, that such projects shall be subject to rules and regulations promulgated by the department, in the event said department acts as a housing authority in a city pursuant to this paragraph, which regulations shall include, but not be limited to, a procedure for providing public notice of the availability of funding and a ranking of priority for projects according to criteria for selection; and provided, further, that such projects shall be subject to any applicable laws, ordinances, and regulations of the city in which the project is located, relating to the construction and repair of buildings, zoning and the protection of public health in accordance with the provision of section twenty-eight of this chapter.

Said department shall annually provide for an evaluation of the effectiveness of its actions as a local housing authority pursuant to this section. Said evaluation shall be filed, together with drafts of legislation necessary to carry into effect any recommendations the department might make, with the clerks of the senate and the house of representatives, the house and senate committees on ways and means and the joint committee on urban affairs on or before the first Wednesday in December.

SECTION 12. Notwithstanding any special or general law to the contrary, the secretary of the executive office of communities and development, hereinafter referred to as the secretary, is hereby authorized to establish a neighborhood housing services program, to supplement programs established in an Act of Congress identified in Section 603 of Public Law 95-557, to assist homeowners who cannot meet private lending criteria for the purpose of bringing homes up to building code standards and for the rehabilitation of existing housing.

The secretary may, under the provisions of this section, provide grants, not to exceed seven hundred and fifty thousand dollars in any one fiscal year, to neighborhood housing services corporations for the purposes of this section.

For the purposes of this section, a neighborhood housing services corporation shall be any private, non-profit community-based corporation organized under the laws of the commonwealth, and in compliance with an Act of Congress identified in Section 603 of Public Law 95-557, to develop and administer a local neighborhood housing services program.

Any neighborhood housing services corporation may make application to the secretary for financial assistance to be used for the establishment of a revolving loan fund to provide home improvement loans to non-bankable neighborhood service clients.

Said secretary may receive applications from such neighborhood service corporations whose articles of organization provide for the following;

(1) a board of directors composed of neighborhood residents and representatives of local financial institutions and, where not inconsistent with law, representatives of local government;

(2) authorization to establish and administer a revolving loan fund to make loans available at flexible interest rates and terms to homeowners who cannot meet private lending criteria for the purpose of bringing homes in a neighborhood up to standards established by an applicable building code or for the rehabilitation of existing housing within the neighborhood;

(3) authorization to accept contributions of money or other property or other property or services to carry out its corporate purpose from public and private sources including, but not limited to, charitable foundations and institutions, business and industry, the United States, the commonwealth and any political subdivision thereof, and the National Neighborhood Reinvestment Corporation;

(4) authorization to administer, in cooperation with representatives of the appropriate city or town, a housing inspection and building code compliance program for neighborhood homeowners which shall include counseling on rehabilitation and financing of homes and monitoring of construction;

(5) a description of the geographical boundaries of the neighborhood within which the corporation is authorized to exercise its corporate powers; and,

(6) any other information which the department shall deem necessary to insure that the neighborhood housing services corporation is in compliance with the intent of the neighborhood housing services program.

The secretary may award grant funds to any qualified applicant in an amount not to exceed the amount of funds received by said applicant from all other sources in any fiscal year. Said grants shall be subject to the approval of the secretary of administration and finance with the prior approval of the house and senate committees on ways and means.

Notwithstanding any provisions of this section to the contrary, grants for operating expenses of a neighborhood housing services corporation shall not exceed thirty thousand dollars for each neighborhood housing services corporation per year; provided, however, that such neighborhood housing services cor-

poration which provides services to more than one neighborhood may receive no more than thirty thousand dollars for each neighborhood served; provided, however, that no such neighborhood housing service corporation may receive more than one operating fund subsidy under the provisions of this act and provided further that the neighborhood housing services corporation will obtain from other public or private sources contributions for payment of operating expenses which shall be at least equal to the amount of grants received from the secretary and which shall be equivalent to not less than ninety per cent of the funds raised from those sources during the preceding fiscal year of the corporation; provided, however, that if a neighborhood housing services corporation was not in existence during the fiscal year preceding its application to the department for a grant for operating expenses, the department shall be authorized to make grants up to an amount not exceeding that raised from all other sources for operating expenses by said corporation.

Each neighborhood housing services corporation which receives a grant from the secretary pursuant to this section and shall report to the secretary at the end of each fiscal year the number, interest rates and terms of loans issued by said corporation within a designated neighborhood, the number and status of defaults on loans issued by said corporation, the amount of contributions received from other public and private sources, and the number of housing units which have been rehabilitated or brought into compliance with standards established by an appropriate building code. Each neighborhood housing services corporation shall also provide the department with a certified audit of the financial condition of the revolving loan fund maintained by said corporation.

The secretary shall annually prepare a comprehensive report on the status of neighborhood housing services corporations in the commonwealth including, but not limited to, the information reported to the secretary by said corporations. Said report shall be filed by the secretary, together with any recommendations made by the secretary and any drafts of legislation necessary to carry said recommendations into effect, with the clerks of the senate and the house of representatives, the house and senate committees on ways and means, and the joint committee on urban affairs on or before the last Wednesday in December of each year.

SECTION 13. To meet the expenditures necessary in carrying out the provisions of section twelve of this act, the state treasurer shall, upon the request of the secretary of the executive office of communities and development, with the approval 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 five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Neighborhood Housing Services Program Fund Loan, Act of 1980, and shall be on the serial payment plan for such maximum term, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate or rates as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and five.

SECTION 14. Section 29 of chapter 23A of the General Laws, as appearing in section 3 of chapter 496 of the acts of 1978, is hereby amended by inserting after the fifth paragraph thereof the following two paragraphs:-

It is hereby further found and declared that there is a critical shortage of housing within the commonwealth and a large and significant number of the commonwealth's residents will be subject to hardship in finding decent, safe and sanitary housing unless new facilities are constructed and existing buildings are rehabilitated for residential or mixed commercial and residential uses; that the shortage of housing is particularly acute for persons and families located in the center of the commonwealth's older cities and towns; and that the shortage of housing is a serious disincentive to industry locating or expanding in the commonwealth, particularly in its blighted commercial centers.

The deterioration of the commonwealth's commercial centers has reduced employment opportunities and resulted in inadequate and substandard housing conditions for the commonwealth's citizens located in such centers; the expansion of residential areas away from commercial centers and the rapidly increasing cost of energy have raised the cost of commuting, thereby draining the state's economy of its purchasing power; the strengthening of the commonwealth's economy, the conservation of energy and the increasing of opportunities for gainful employment and the improving of living conditions all require that the commonwealth's existing commercial centers be revitalized; and the availability of public financial assistance is a critical inducement to the revita-

lization of such deteriorated centers through development projects to create living and working opportunities in such centers.

SECTION 14. Said section 29 of said chapter 23A is hereby further amended by striking out the seventh paragraph, as inserted by section 3 of said chapter 496, and inserting in place thereof the following paragraph:-

Therefore, it is in the best public interest of the commonwealth to promote the prosperity and general welfare of all citizens by stimulating industrial growth and expansion by encouraging a larger flow of private investment funds from banks, investment houses, insurance companies and other financial institutions, including pension retirement funds, to help satisfy the need for industrial expansion, and the need for mixed use buildings for combined housing and commercial use in the revitalization of the commercial centers of the cities and towns of the commonwealth.

SECTION 15. The first paragraph of section 30 of said chapter 23A, as so appearing, is hereby amended by striking out, in line 5, the words "Industrial enterprise".

SECTION 16. Said section 30 of said chapter 23A, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:-

"Industrial enterprise" as used in sections twenty-nine to thirty-eight, inclusive, shall unless the context requires otherwise, have the same meaning as set forth in section one of chapter forty D, except that the next to the last sentence of paragraph (1) of said section one shall not apply to the agency.

SECTION 17. Paragraph (c) of section 35 of said chapter 23A, as so appearing, is hereby amended by adding the following sentence:- The agency may issue bonds to finance the improvement of any single building for mixed commercial and residential use only if the agency and the governing body of the municipality in which the project is located find, after a public hearing held not less than ten days after publication of notice thereof in a newspaper of general circulation in such municipality, with respect to the portion of the project to be used for housing, that such portion is located in, or is needed to prevent the area in which it is located from becoming a substandard, decadent or blighted open area, as defined in section one of chapter one hundred and twenty-one A; that the area will not by private enterprise alone and without either governmental subsidy or the exercise of governmental powers be developed or revitalized in such a manner as will to prevent, arrest or alleviate the spread of blight or decay; and that such portion of the project is consistent with the sound needs of the municipality as a whole.

Approved July 14, 1980.

Chap. 491. AN ACT TO ENABLE PUBLIC EMPLOYEE RETIREMENT SYSTEMS AND BANKS TO INVEST IN SECURITIES BACKED BY REAL ESTATE, MORTGAGE LOANS IN ORDER TO PROMOTE HOME OWNERSHIP, CONSTRUCTION, REHABILITATION AND HOME IMPROVEMENT.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (d) of subdivision (1) of section 23 of chapter 32 of the General Laws, as amended by section 1 of chapter 343 of the acts of 1972, is hereby further amended by adding the following clause:-

(v) In mortgage pass-through securities and mortgage-backed bonds which are rated Aa or better by Standard and Poor's or any other independent rating service designated by the investment committee and issued by a mortgage lender, as herein defined, or issued through a conduit pooling of loans of such mortgage lenders.

Each mortgage pass-through security and mortgage-backed bond shall be secured or backed by mortgage loans made or acquired by a mortgage lender on residential real estate located in the commonwealth. Each such loan shall generally meet the standards expected of a reasonably prudent investor.

All proceeds received by a mortgage lender from the sale of mortgage pass-through securities and mortgage-backed bonds to the retirement systems shall be used solely for mortgage loans on real estate located in the commonwealth.

The word "mortgage lender" as used herein, shall mean any savings bank, co-operative bank, credit union, trust company, federal savings and loan association, national banking association or mortgage banking company which is incorporated or maintains an office in the commonwealth; and provided, however, that any savings bank or group of savings banks may participate in the issuance of mortgage pass-through securities and mortgage-backed bonds by the Mutual Savings Central Fund, Inc., as defined in section one of chapter forty-four of the acts of nineteen hundred and thirty-two, and such pass-through securities and bonds shall otherwise satisfy the criteria prescribed in this clause, and shall represent obligations of said fund and not of any such bank or group of banks; and provided, further, that any co-operative bank or group of co-operative banks may participate in the issuance of mortgage pass-through securities and mortgage-backed bonds by The Co-operative Central Bank, as defined in section one of chapter forty-five of the acts of nineteen hundred and thirty-two and such pass-through securities and bonds shall otherwise satisfy the criteria prescribed in this clause and shall represent obligations of said central bank and not of any such bank and provided further that any credit

union or group of credit unions may participate in the issuance of mortgage pass-through securities and mortgage backed bonds by the Central Credit Union Fund, Inc., as defined in section one of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, and such pass-through securities and bonds shall otherwise satisfy the criteria prescribed in this clause, and shall represent obligations of said fund and not of any credit union or group of credit unions or group of banks.

SECTION 2. Paragraph (b) of subdivision (2) of said section 23 of said chapter 32, as most recently amended by section 2 of chapter 768 of the acts of 1975, is hereby further amended by adding the following clause:-

(v) In mortgage pass-through securities and mortgage-backed bonds which are rated Aa or better by Standard and Poor's or any other independent rating service designated by the investment committee and issued by a mortgage lender, as herein defined, or issued through a conduit pooling of loans of such mortgage lenders.

Each mortgage pass-through security and mortgage-backed bond shall be secured or backed by mortgage loans made or acquired by a mortgage lender on residential real estate located in the commonwealth. Each such loan shall generally meet the standards expected of a reasonably prudent investor.

All proceeds received by a mortgage lender from the sale of mortgage pass-through securities and mortgage-backed bonds to the retirement systems shall be used solely for mortgage loans on real estate located in the commonwealth.

The word "mortgage lender" as used herein, shall mean any savings bank, co-operative bank, credit union, trust company, federal savings and loan association, national banking association or mortgage banking company which is incorporated or maintains an office in the commonwealth; and provided, however, that any savings bank or group of savings banks may participate in the issuance of mortgage pass-through securities and mortgage-backed bonds by the Mutual Savings Central Fund, Inc., as defined in section one of chapter forty-four of the acts of nineteen hundred and thirty-two, and such pass-through securities and bonds shall otherwise satisfy the criteria prescribed in this clause, and shall represent obligations of said fund and not of any bank or group of banks; provided, further, that any co-operative bank or group of co-operative banks may participate in the issuance of mortgage pass-through securities and mortgage-backed bonds by The Co-operative Central Bank, as defined in section one of chapter forty-five of the acts of nineteen hundred and thirty-two and such pass-through securities and bonds shall otherwise satisfy the criteria prescribed in this clause and shall represent obligations of said central bank and not of any such bank or group of banks; and provided further that any credit

union or group of credit unions may participate in the issuance of mortgage pass-through securities and mortgage-backed bonds by the Central Credit Union Fund, Inc., as defined in section one of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, and such pass-through securities and bonds shall otherwise satisfy the criteria prescribed in this clause, and shall represent obligations of said fund and not of any such credit union or group of credit unions.

SECTION 3. Chapter 167 of the General Laws is hereby amended by inserting after section 9 the following section:-

Section 9A. The commissioner of banks shall annually prepare and submit a list to the investment committee established under the provisions of section twenty-three of chapter thirty-two which indicates those banks, as defined in section one of this chapter, which have satisfied their continuing and affirmative obligations to help meet the needs of the local communities in which they are chartered, including low and moderate-income neighborhoods, consistent with the safe and sound operation of those banks. Only mortgage lenders so listed shall be eligible to sell or participate in the sale of mortgage pass-through securities or mortgage-backed bonds to public employee retirement systems.

The commissioner of banks also shall prepare annually and submit to said investment committee a list, based on information received from the appropriate federal agency, which indicates those federal savings and loan associations and national banking associations which have been determined by the Federal Home Loan Bank Board, the Federal Deposit Insurance Corporation, or the Office of the Comptroller of the Currency to have complied with the requirements of the Federal Community Reinvestment Act, sections 802 et. seq., of Title VIII of P.L. 95-128, and regulations promulgated thereunder. Only those associations so listed shall be eligible to sell such securities or bonds to such systems.

Approved July 14, 1980.

Chap. 492. AN ACT RELATIVE TO THE CAPE COD REGIONAL TRANSIT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 161B of the General Laws is hereby amended by striking out section 9, as amended by section 8 of chapter 928 of the acts of 1977, and inserting in place thereof the following two sections:-

Section 9. 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 except the Cape Cod Regional

Transit Authority, unless said authority elects not to assess costs as provided in section nine A, 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. The loss attributable to each such route in each such city or town shall be determined on the basis of the difference between the revenues collected from such route in such city or town and the cost of providing such route therein.

Such determination shall be made by such authority in accordance with sound accounting practice and guidelines developed in consultation with the department.

Section 9A. If in any year the commonwealth shall be called upon to pay any amount on account of the net cost of service of the Cape Cod Regional Transit Authority, the total amount of such net cost of service may be assessed in whole or in part upon the cities and towns which are members of such Authority on the basis of the total passenger miles and the number of trips attributable to the residents of cities and towns within said Authority. Any such assessment formula shall be subject to the approval of the secretary and the advisory board of the Authority.

Such determination shall be made by said Authority in accordance with sound accounting practice and guidelines developed in consultation with the department.

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

Approved July 14, 1980.

Chap. 493. AN ACT FACILITATING AND CONTROLLING THE DEVELOPMENT OF THE SITE FORMERLY OCCUPIED BY THE CHELSEA NAVAL HOSPITAL BY THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

SECTION 1. The following words whenever used in this act shall, unless a different meaning clearly appears from the context, have the following meanings:-

"Board of aldermen", the board of aldermen of the city of Chelsea.

"Chapter two hundred and twelve", chapter two hundred and twelve of the acts of nineteen hundred and seventy-five.

"Chapter one hundred and twenty-one A", chapter one hundred and twenty-one A of the General Laws.

"City", the city of Chelsea.

"Comprehensive development agreement", a development agreement between the city and any urban redevelopment entity

covering all relevant aspects of the entire development of a project.

"Department", the department of community affairs.

"Development agreement", any agreement with the city under sections six A and fourteen of chapter one hundred and twenty-one A, section thirteen of chapter two hundred and twelve, the provisions of this act, or any one or more of the foregoing.

"Development plan", a redevelopment plan set forth in section eight of chapter two hundred and twelve, including a comprehensive development plan for the development of the site.

"Federal government", the United States of America, and any agency or instrumentality corporate or otherwise of the United States of America.

"Mayor", the mayor of the city of Chelsea.

"Project", the development of the site or a major portion thereof in accordance with a development plan and a comprehensive development agreement and one or more development agreements.

"Site", the land, interests therein and improvements thereon in the city now or formerly owned by the federal government and formerly used for the Chelsea Naval Hospital, exclusive, however, of any portion or portions thereof conveyed or to be conveyed by the federal government to the metropolitan district commission.

"Subproject", any portion of a project which is determined by the urban redevelopment entity undertaking such project to be severable for purposes of achieving further development on the basis of separate and distinct financing and development.

"Urban redevelopment entity", an urban redevelopment corporation or other entity operating under chapter one hundred and twenty-one A and the provisions of this act and undertaking any project or subproject.

SECTION 2. It is hereby found that in conformity with the conditions described in section one of chapter two hundred and twelve, the site has become a decadent and blighted open area as defined in section one of chapter one hundred and twenty-one A; and that the acquisition of the site by the city, the clearance of portions of the site, the rehabilitation of structures thereon, the restoration and reconversion of historic structures thereon, the construction of new structures thereon, the construction of streets, utilities, open spaces and other public improvements thereon and the disposition of portions of the site, together with the construction by the metropolitan district commission of associated parks, open spaces, recreational facilities and community public facilities, all in accordance with the effectuation of a comprehensive development plan and the carrying out of a comprehensive development agreement will eliminate the decadent and blighted open conditions on the site, will prevent

recurrence of such conditions and will constitute a public use, benefit and purpose for which public money may be expended, the aids provided herein may be given and the power of eminent domain exercised.

It is hereby further found that the city suffers from substantial and persistent unemployment, and from a shortage of sound residential, commercial and industrial development; that the continued vacancy of the site represents a failure to meet these needs and deprives the city of needed tax revenues; that abandonment of the site as aforesaid has resulted in economic dislocation and additional unemployment in the city and in the commonwealth; and that the effectuation of a comprehensive plan and the carrying out of a comprehensive development agreement will alleviate such dislocation, unemployment, shortages and loss of revenue and will constitute a public use, benefit and purpose as aforesaid.

It is further found that one or more comprehensive development plans and development agreements which will incorporate phasing, land use control and measures for property taxation predictability, which will permit an urban redevelopment entity which has undertaken the phased development of the site to make, and the city to, recognize valid partial assignments to other urban redevelopment entities of rights and obligations under a comprehensive development agreement apportionable to a subproject, and which will provide for residential, commercial and industrial uses, including the improvement, to a commercially feasible extent, of a portion of the site with clustered residential developments with accessory community and commercial uses, will constitute an appropriate and necessary means to achieve the aforesaid public uses, benefits and purposes; and that any assistance which may be given by the commonwealth, the city or other public body in connection with the effectuation of such a plan will constitute a public use, benefit and purpose as aforesaid.

It is further found that certain conditions and combinations thereof exist in and especially affect the city but do not generally exist in and affect other cities in the commonwealth; that among such conditions are (a) a lack of comparable residential uses in the vicinity of the site upon which forecasts of occupancy and return may be based, (b) the proximity of the site to the Mystic River Bridge and General Edward Lawrence Logan International Airport, (c) the disproportionately large area of the city requiring redevelopment occasioned not only by the abandonment of the site but also by the recent destruction of other parts of the city by fire and storm, and (d) the need for large-scale planning in order to coordinate private development with proposed public improvements, to achieve marketing potential and to provide for environmental benefits; and that owing

to such conditions and combinations thereof the development of the site or portions thereof cannot be effectively achieved by the ordinary operations of private enterprise and recourse to existing publicly supported aids to private development without the aids and powers provided herein.

SECTION 3. The city shall have the following powers with respect to any project or subproject in addition to any other powers conferred upon said city by this act or any other general or special law:-

(a) To act as agent of, or to cooperate with the federal government in any clearance, housing, urban redevelopment or other similar activity within the site.

(b) To receive gifts, loans, grants, contributions or other financial assistance from the federal government, the commonwealth or any source, public or private.

(c) To take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, including, without limitation, for the purpose of confirming title or guaranteeing access to the site or any portion thereof, or to purchase or lease, or to acquire by gift, bequest or grant, and hold, any property, real or personal, public or private, or any interest therein, found by it to be necessary or reasonably required to carry out the purposes of this act, including without limitation the power to contract with the government land bank established under chapter two hundred and twelve or the federal government for the acquisition of all or any part of the site, and to sell, exchange, transfer, lease or assign the same; provided, that in case of a taking by eminent domain under said chapter seventy-nine the provisions of section forty of said chapter shall be applicable, except that the security therein required shall be deposited with the mayor.

(d) To clear and improve any property acquired by it.

(e) To engage in or contract for the construction, reconstruction, alteration, remodeling or repair of any clearance, housing, urban redevelopment or other similar activity within the site.

(f) To enter into, execute and carry out development agreements and comprehensive development agreements under section six, and to assent to and recognize any partial assignment under section seven.

(g) To enter, with the approval of the mayor, into agreements with the federal government relative to the acceptance of funds for any project or subproject and containing such covenants, terms and conditions as the mayor may deem desirable; provided, however, that nothing herein shall be construed to require approval by the mayor of requisition agreements and similar contracts with the federal government which are entered into pursuant to an agreement approved by him.

(h) To enter into, execute and carry out contracts and all other instruments necessary or convenient to the exercise of the powers granted in this act.

(i) To prepare or cause to be prepared a development plan or plans and any plans or studies required or assisted under federal law.

(j) To engage in any project or subproject, and to enforce restrictions and controls contained in any development plan or any covenant or agreement contained in any contract, deed or lease of property within the site notwithstanding that the city may no longer have any title or interest in the property to which such restrictions and controls apply or to any neighboring property.

(k) To raise and appropriate, agree to raise and appropriate or borrow funds and expend the same to the extent, for the purposes and subject to the limitations that such sums may be raised and appropriated, agreed to be raised and appropriated or borrowed in aid of an operating agency as provided in sections nineteen, twenty, twenty-one and twenty-two of chapter one hundred and twenty-one B of the General Laws as amended to date.

(l) To do or agree to do in aid of any project or subproject, or of any urban redevelopment entity undertaking all or part of such project or subproject, all the things cities are authorized to do in aid of operating agencies under section twenty-three of said chapter one hundred and twenty-one B and in the manner prescribed in said section.

(m) To appropriate funds, borrow funds and execute promissory notes therefor and grant such mortgages and other security interests as may be necessary or convenient to acquire the site, including, without limitation, a mortgage or mortgages or other security interest or interests to the federal government, or the government land bank established under chapter two hundred and twelve; any indebtedness secured by any such mortgage or security interest shall be outside the limit of indebtedness set forth in section ten of chapter forty-four of the General Laws.

(n) To enter into any agreement or agreements with the metropolitan district commission which may be necessary or convenient for the purpose of constructing a public park adjacent to the site and to the Mystic and Island End Rivers and any roadways incidental thereto or for the purpose of integrating such public park with development within the site, including, but not limited to, agreements relating to the construction and maintenance of roadways and utilities, the granting or reservation of easements for the benefit of either such public park or portions of the site and the policing of such park and roadways; provided, that the metropolitan district commission shall likewise have the power to execute such agreements and perform such

acts as may be necessary or convenient to carry out the purposes of this subsection (n).

(o) To do all other acts incidental to the exercise of the above powers and necessary or convenient to carry out the purposes of this act.

SECTION 4. Subject to section five, the site shall be governed by applicable provisions of the zoning ordinance of the city in effect upon the effective date of this act and for a period of ten years thereafter notwithstanding any amendment thereto, provided, that the city may increase the number of permitted uses of any land within the site.

The site shall not become subject to the provisions of sections eighty-one K to eighty-one GG, inclusive, of chapter forty-one of the General Laws prior to the completed development of the entire site or ten years from the effective date of this act, whichever is sooner. The Chelsea Redevelopment Authority shall have no powers or duties under chapter one hundred and twenty-one A and chapter one hundred and twenty-one B of the General Laws or otherwise with respect to the site and any project or subproject.

SECTION 5. Notwithstanding the provisions of any zoning, building, health or fire law, code, ordinance or regulation of the commonwealth or any political subdivision thereof which may affect the site now or in the future, the mayor, with the approval of the board of aldermen, shall have the power, both before and after the approval and execution of any development agreement or agreements for the development of any project or subproject, to grant from time to time permission for such project or subproject to deviate from such law, code, ordinance or regulation if he finds that such permission may be granted without substantially derogating from the intent and purpose of such law, code, ordinance or regulation, and also to grant from time to time permission for any such project or subproject to deviate from any such building, health or fire law, code, ordinance or regulation if he finds that a particular design or construction or a particular material, apparatus or equipment, or a particular method of construction or installation is specified, but he is satisfied by reliable and generally accepted tests or experience in other cities, or after consultation with the building department, health department or the fire department, as appropriate, that some other design, construction, material, apparatus, equipment or method will sufficiently satisfy the purpose for which it is to be used and the purposes of such law, code, ordinance, or regulation or that the specification was not designed for a structure of the nature proposed and that such purposes can in some other requested manner be satisfied.

The vote of the board of aldermen approving each such deviation shall be filed with the city clerk of the city.

SECTION 6. Any urban redevelopment entity shall, in addition to its other powers, have the authority and power to enter into a comprehensive development agreement with the city which is consistent with the development plan and which may provide that the project subject to such agreement may be divided into subprojects, that the contract rights and obligations of the city and such urban redevelopment entity under such agreement apportionable to each such subproject may be assigned to an assignee qualified to become such as hereinafter provided in section seven, that such assignment may be without recourse to the assignor and that such urban redevelopment entity may carry out any or all phases or stages of the project. An urban redevelopment entity is hereby further authorized to enter into development and other agreements with the city with respect to the development of any project or subproject.

SECTION 7. (a) Three or more persons wishing to associate themselves by written agreement of association in a form furnished or approved by the commissioner of corporations and taxation as provided in chapter one hundred and twenty-one A, and individuals, and associations of individuals, in the form of joint ventures, partnerships, limited partnerships or trusts resident or organized in the commonwealth, or a charitable corporation organized under chapter one hundred and eighty of the General Laws may apply to the department for its approval of their acquisition of any project or subproject. Their application shall specify the nature of the project or subproject which they propose to acquire, the terms upon which the same is to be acquired, and the amount of capital which they intend to raise. If it is proposed in connection with such subproject that any change be made in the project as originally approved or as previously amended, other than the proposed acquisition of the project or subproject, the application shall include such information concerning the proposed changes as the department shall require. If the department determines that such persons or associations appear to have the ability requisite to perform the obligations and carry out the duties imposed by chapter one hundred and twenty-one A and this act with respect to such project or subproject and if it determines that none of the proposed changes, if any, are fundamental, it shall issue a certificate that it approves the application. The agreement of association, if any, shall not be presented to the state secretary for filing, nor shall he file it, unless it is accompanied by such certificate. If any changes are proposed in the project or subproject, other than the proposed acquisition thereof, and if the department determines that any such changes are fundamental, the department shall proceed as if such application were an application under section six of chapter one hundred and twenty-one A for the original approval of the project or sub-

project as so fundamentally changed. Any person receiving approval shall, with respect to such project or subproject, have all of the powers, rights, privileges, benefits and exemptions and shall be subject to all the duties of a corporation or other entity operating under chapter one hundred and twenty-one A and this act; provided, however, that the periods of forty years as set forth in section eight shall be computed from the date of the acquisition of the project or subproject by the corporation, association or other entity which initiated the project, or in the case of a subproject, the project of which such subproject is a part regardless of any default upon the part of such corporation, association or other entity. The urban redevelopment entity so created shall without further proceedings before the department be entitled to enter into a regulatory agreement with the department as provided in paragraphs (c), (e) and (f) of section eighteen C of chapter one hundred and twenty-one A, shall thereupon be qualified to become a partial assignee of the comprehensive redevelopment agreement as provided in section six and may acquire such project or subproject.

(b) Notwithstanding the provisions of paragraph (a), an affiliated entity as hereinafter defined is hereby authorized and empowered, with respect to any project or subproject, to enter into a regulatory agreement with the department as provided in paragraphs (c), (e) and (f) of section eighteen C of chapter one hundred and twenty-one A, shall thereupon have with respect to such project or subproject all the powers, rights, privileges, benefits and exemptions and be subject to all the duties of a corporation or other entity operating under chapter one hundred and twenty-one A and this act, shall be qualified to become a partial assignee of the comprehensive redevelopment agreement as provided in section seven hereof and may acquire such project or subproject, all without other or further proceedings with or before the department; provided, however, that such acquisition and the development of such portion shall not entail a fundamental change in the project as originally approved or as previously amended and further provided that the periods of forty years as set forth in section eight shall be computed as provided in paragraph (a). As employed herein, the term "affiliated entity" refers to (i) a subsidiary of the corporate general partner of a limited partnership which enters into and is subject to a comprehensive development agreement with the city, (ii) a corporation more than fifty per cent of the voting stock of which is owned by a corporation which is the parent of such corporate general partner or (iii) any limited partnership of which such corporate general partner or a subsidiary described in (i) or a corporation described in (ii) is a general partner.

(c) The department is hereby authorized and directed to enter into regulatory agreements as provided in paragraphs (a) and (b).

(d) Subject to section nine, if the persons or organizations described in this section eight have carried out their obligations and performed their duties as imposed by chapter one hundred and twenty-one A and this act for a period of forty years as specified in paragraph (a) to the satisfaction of the department as evidenced by a certificate issued by the department, such persons or organizations shall thereafter no longer be subject to the obligations of chapter one hundred and twenty-one A or this act nor enjoy the rights and privileges granted by either.

(e) The provisions of section eighteen B of chapter one hundred and twenty-one A, the provisions of paragraphs (a) and (b) of the introductory paragraph of section eighteen C of said chapter one hundred and twenty-one A and the provisions of the third and sixth paragraphs of said section eighteen shall not apply to the acquisition of a project or subproject pursuant to paragraphs (a), (b), (c) and (d) of this section. All references in chapter one hundred and twenty-one A to sections eighteen B or eighteen C thereof shall be deemed in their application to such acquisition to refer respectively only to this section, or only to this section and said section eighteen C exclusive, however, of paragraphs (a) and (b) of the introductory paragraph thereof and of the third and sixth paragraphs hereof. The provisions of the last sentence of the first paragraph of section three of chapter one hundred and twenty-one A shall not apply to an urban redevelopment entity which undertakes the development of a project or subproject under this act, and all references in chapter one hundred and twenty-one A to section three thereof shall in their application to any such entity be deemed to refer to the provisions of said section exclusive of the last sentence of the first paragraph.

(f) No entity qualified to become a partial assignee pursuant to paragraph (a) or (b) and which becomes such a partial assignee shall, in the absence of its consent in writing, be held either jointly or severally liable for the debts, including, without limitation, any excises due under section eight of this act or additional payments to be made under section six A of chapter one hundred and twenty-one A, or for the performance of any duties or obligations of any nature whatsoever of any other such entity or of the urban development entity which is the assignor; and the project or subproject owned by any such assignee shall not, without its express written agreement, be or become subject to any lien or security interest of any nature whatsoever imposed upon or becoming applicable to any other project or subproject subsequent to the date of assignment to such entity.

SECTION 8. The provisions of the second, fourth, fifth, seventh, eighth and ninth paragraphs of section ten of chapter one hundred and twenty-one A shall apply to the taxation of an urban redevelopment entity engaged in the development of the

site, or any project or subproject, pursuant to a comprehensive development agreement, but not any other provisions of said section, and all references in chapter one hundred and twenty-one A to section ten thereof shall in their application to such entity be deemed to refer to the provisions of said paragraphs and to this section.

For a period of forty years after the acquisition of the project by such entity, or in the case of a subproject, the original acquisition of the project of which such subproject is a part by an urban redevelopment entity hereunder, such entity and all its real and personal property, including all real and personal property leased by it from the city or any entity wholly owned or controlled by the city shall be exempt from taxation and from betterments and special assessments; and for such period any such entity shall not be required to pay any tax, excise, or assessment to or for the commonwealth or any of its political subdivisions; provided, however, that notwithstanding the foregoing provisions of this section, any such entity shall be required to pay (1) the excises and sums respectively prescribed by this section and section fifteen of chapter one hundred and twenty-one A; (2) excises assessed under chapter sixty A and acts in amendment thereof or addition thereto; and (3) excises imposed by chapter sixty-four A and acts in amendment thereof or addition thereto; and provided, further, that nothing in this section shall be construed to prevent any such entity which enters into a contract under section fourteen of chapter one hundred and twenty-one A from agreeing therein to make, or from making pursuant thereto, payments in lieu of betterments or special assessments.

During such period of forty years, such entity shall pay in each calendar year to the commonwealth with respect to its existence at any time within the preceding calendar year an excise equal to the sum of the following: namely, an amount equal to five per cent of its gross income in such preceding calendar year, from all sources, and an amount equal to ten dollars per thousand upon the valuation determined pursuant to the second paragraph of section ten of chapter one hundred and twenty-one A to be the fair cash value as of January first in the year in which the excise becomes payable of all real and tangible personal property of such entity, including all real and tangible personal property leased by it which is exempted by this section from taxation under chapter fifty-nine; provided, that the excise payable in any year shall not be less than the amount which the city would receive for taxes, at the rate for such year, upon whichever of the following valuations is the lesser: (a) the valuation upon which the aforesaid amount equal to ten dollars per thousand is computed; or (b) the average of the assessed valuations of the land and all buildings and other things erected

thereon or affixed thereto on the three assessment dates, in the case of land purchased, taken or leased by such entity from the city or corporation wholly owned or controlled by the city, next preceding the acquisition of the land by such housing authority, redevelopment authority, the city or wholly owned or controlled corporation, and in the case of all other land purchased, taken or leased by such entity, next preceding the acquisition thereof by such entity, the assessed valuation for each assessment date being reduced by all abatements, if any. As used herein (i) the phrase "rate for such year" shall be the rate established by the city with respect to the fiscal year commencing during the calendar year for which a return is filed by such entity and (ii) the phrase "assessed valuations" shall be the assessment made by the assessors of the city pursuant to section thirty-eight of chapter fifty-nine of the General Laws of property not specifically exempt from taxation and in the case of property so exempt the assessed valuations on any assessment date on which the property is so exempt shall be deemed to be one dollar.

For purposes of the excise provided for in this section, the assessors of the city are hereby authorized and directed to make a fair and equitable allocation of the fair cash value and the assessed valuation of the site for any year to the projects and subprojects within the site. Upon such allocation, the excise provided for herein with respect to each project or subproject shall be a lien against the real and tangible personal property owned by the entity undertaking such project or subproject and devoted thereto and the liability of such entity and shall not constitute a lien on the property owned by any other entity undertaking any other project or subproject and devoted thereto or the liability of any other such entity.

Real estate acquired by such entity by lease from any person other than the city or corporation wholly owned or controlled by the city shall be subject to taxation in the same manner and to the same extent as if such real estate were wholly owned and occupied by a private person; but so long as the period of forty years from the organization of such entity has not expired and the leasehold estate continues to be held by such entity, all buildings and other things erected by such entity on, or affixed by such entity to, any land acquired by such entity by such lease shall, for the purposes of this act and of chapter fifty-nine, be deemed to be tangible personal property of such entity. Real estate acquired by lease as aforesaid shall be excluded in making determinations and computing the excise under this section, except that the assessed valuation of all buildings and other things erected thereon or affixed thereto on the three assessment dates next preceding acquisition by such lease shall be included in computing the average valuation under clause (b) of the third paragraph of this section.

SECTION 9. If pursuant to a comprehensive development agreement, or any total or partial assignment thereof, an urban redevelopment entity has carried out its obligations and performed its duties as imposed by chapter one hundred and twenty-one A and this act for a period of fifteen years from the date of approval of any project or subproject as evidenced by a certificate issued by the department, such entity may at its election at any time thereafter terminate its regulatory agreement with the department and such comprehensive development agreement, or, as the case may be, its contract rights and duties as assignee thereof; and upon such termination such entity shall no longer be subject to the obligations of chapter one hundred and twenty-one A or of this act nor enjoy the rights, privileges and exemptions thereby granted.

If an urban redevelopment entity shall submit any portion of its project or its subproject to condominium use pursuant to chapter one hundred and eighty-three A of the General Laws, such entity shall thereupon terminate with respect to such portion its regulatory agreement with the department and its comprehensive development agreement or as the case may be, its contract rights and duties as assignee thereof; and upon such termination such portion and such entity with respect to such portion, shall no longer be subject to the obligations of chapter one hundred and twenty-one A or of this act, nor enjoy the rights, privileges and exemptions thereby granted.

SECTION 10. The provisions of section six C of chapter one hundred and twenty-one A shall apply to the decisions and determinations of the planning board, mayor and department under section seven, and of the mayor and board of aldermen under section five hereof; provided, that in the latter case that the complaint is filed within thirty days after the date of filing with the city clerk of the city of a copy of the board of aldermen's vote approving any deviation.

SECTION 11. The provisions of chapter one hundred and twenty-one A shall apply to all projects and subprojects subject to this act and any urban redevelopment entity undertaking such a project or subproject except to the extent the application of the same is limited or modified by the provisions of sections seven, eight, nine or ten, or is inconsistent with any other express or implied provision hereof.

SECTION 12. Any and all actions of every kind and nature taken prior to the effective date of this act by the city acting through the mayor or the board of aldermen of the city or both or by the department in furtherance of the development of the site are hereby ratified, validated and confirmed, in all respects to the same extent as if this act had been in full force and effect at the time such action or actions were taken.

SECTION 13. The second paragraph of section 13 of chapter 212 of the acts of 1975, as amended by section 9 of chapter 732 of the acts of 1977, is hereby further amended by inserting, in line 13, after the word "for" the words:- , or other entity operating under said chapter one hundred and twenty-one A and authorized by special law with respect to the redevelopment of.

SECTION 14. The provisions of this act are hereby declared to be severable, and if any such provision, or the application of any such provision to any person or circumstance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be considered to affect the validity or constitutionality of any of the remaining provisions of this act or the application of such provision to persons or circumstances other than those to which it is held invalid.

SECTION 15. Nothing contained in this act shall be construed as to supercede any provision of any agreement between the Government Land Bank and the city executed prior or subsequent to the effective date of this act or any provision of any agreement between the Government Land Bank and any urban redevelopment entity executed prior or subsequent to the effective date of this act. In any instance where the possibility of conflict exists between this act and any provision of any such agreement, whether said conflict is expressed or implied, the provision contained in such agreement shall take precedence.

SECTION 16. This act, being necessary for the welfare of the city and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 17. This act shall take effect upon its passage.

Approved July 14, 1980.

Chap. 494. AN ACT FURTHER REGULATING THE MORTGAGING AND PLEDGING BY BUSINESS CORPORATIONS OF THEIR CORPORATE ASSETS.

Be it enacted, etc., as follows:

Chapter 156B of the General Laws is hereby amended by striking out section 75, as amended by section 30 of chapter 685 of the acts of 1965, and inserting in place thereof the following section:-

Section 75. Every corporation may authorize, at a meeting duly called for the purpose, by vote of two-thirds of each class of stock outstanding and entitled to vote thereon, the sale, lease or exchange of all or substantially all its property and assets, including its goodwill, upon such terms and conditions as it deems expedient. Notice of the time, place and purpose of such meeting shall be given to each stockholder of record, whether or not entitled to vote thereat, in the manner provided in section thirty-six.

The authorization or consent of stockholders to the mortgage or pledge of, or granting of a security interest in, property or assets of a corporation shall not be necessary, except to the extent that the corporation's articles of organization otherwise provide.

Approved July 14, 1980.

Chap. 495. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF HULL.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of Hull may be recalled and removed therefrom by the qualified voters of the town as herein provided.

SECTION 2. Any qualified voter of the town may make and file with the town clerk an affidavit containing the name of the officer sought to be removed and a statement of the grounds of removal. The town clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks for such recall and removal. Said blanks shall be issued by the town clerk with his signature and official seal attached thereto; and shall be dated and addressed to the selectmen. Said blanks shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be removed, the office from which removal is sought, the grounds of removal as stated in said affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. Said recall petition shall be returned and filed with the town clerk within fourteen days after the filing of the affidavit. Said petition before being returned and filed shall be signed by qualified voters of the town, equal in number to at least twenty per cent of the qualified voters of the town as of the date such affidavit was filed with the town clerk.

SECTION 3. If the petition shall be found and certified by the town clerk to be sufficient, he shall submit the same with his certificate to the selectmen without delay, and the selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order a removal election to be held on a day fixed by them not less than twenty-five nor more than thirty-five days after the date of the town clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within sixty days after the date of said certificate, the selectmen may, in their discretion, postpone the holding of the removal election to the date of such other election. If a vacancy occurs in said

office after a removal election has been so ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer who has been removed by a vote at the removal election may be a candidate to succeed himself in an election to be held to fill such vacancy which shall be held concurrently with the election. The nomination of all candidates, the publication of the warrant for the removal election and any election to fill a vacancy caused by a removal election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act. A majority of those voting at the removal election shall be sufficient to recall such elected officer.

SECTION 5. The incumbent shall continue to perform the duties of his office until the removal election. If said incumbent is not removed, he shall continue in office for the remainder of his unexpired term, subject to recall as before. If said incumbent is removed in the removal election, he shall be deemed removed and the election held concurrently shall elect a qualified successor, who shall hold office during the unexpired term.

Approved July 14, 1980.

Chap. 496. AN ACT INDEMNIFYING CERTAIN EMPLOYEES OF THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three D of chapter twelve of the General Laws, the commissioner of the department of corrections is authorized to indemnify its officers or employees in an amount not to exceed twenty-five thousand dollars for liability as a result of any judgment dated on or after July thirteenth, nineteen hundred and seventy-eight upon any cause of action arising on or before August sixteenth, nineteen hundred and seventy-seven; provided, that such employee or official, at the time the cause or action arose, was acting within the scope of his official duties or employment; and provided, further, that no such employee or official shall be indemnified under this section for violation of anyone's civil rights if he acted in a grossly negligent, wilful or malicious manner.

SECTION 2. The amounts payable under section one of this act shall be in addition to any other indemnification payments otherwise required under section three D of chapter twelve of the General Laws.

Approved July 14, 1980.

Chap. 497. AN ACT AUTHORIZING THE MASSACHUSETTS PORT AUTHORITY TO MAKE PAYMENTS IN LIEU

OF TAXES TO THE CITIES OF CHELSEA AND BOSTON AND THE TOWN OF WINTHROP.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 17 of chapter 465 of the acts of 1956, added by section 3 of chapter 332 of the acts of 1978, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- In addition to and without limitation of the foregoing, and notwithstanding any contrary provisions of this act or any other general or special law, the Authority is authorized and directed to enter into agreements with the cities of Chelsea and Boston and the town of Winthrop whereby the Authority will make to each such city and town annual payments in lieu of taxes.

SECTION 2. Said second paragraph of said section 17 of said chapter 465 as added is hereby further amended by inserting after the word "Boston", in line 31, the words:- and the town of Winthrop.

SECTION 3. Said section 17 of said chapter 465, added by said section 3 of said chapter 332, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

There shall be added to the equalized valuations of the cities of Chelsea and Boston and the town of Winthrop as calculated by the department of revenue, a value equivalent to that which would produce the amount of tax revenues accruing to said cities and town under the agreement authorized herein.

SECTION 4. This act shall take effect as of January tenth, nineteen hundred and seventy-nine.

Approved July 14, 1980.

Chap. 498. AN ACT ESTABLISHING AN ADMINISTRATIVE ASSISTANT TO THE REGISTER OF DEEDS NORFOLK COUNTY.

Be it enacted, etc., as follows:

Chapter 36 of the General Laws is hereby amended by striking out section 5A, inserted by chapter 578 of the acts of 1971, and inserting in place thereof the following section:-

Section 5A. The register of deeds for Norfolk county may, by a writing recorded in his registry, designate one of the persons employed therein as second assistant register who shall serve at the pleasure of such register and may also so designate one of

the persons employed therein as administrative assistant who shall serve at the pleasure of such register and be compensated at the same rate allowed for the second assistant register.

Approved July 14, 1980.

Chap. 499. AN ACT INCREASING CERTAIN LICENSING FEES.

Be it enacted, etc., as follows:

SECTION 1. Section 67 of chapter 62C of the General Laws is hereby amended by striking out the fifth paragraph, as amended by section 3 of chapter 459 of the acts of 1977, 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, ten dollars; suppliers, twenty-five dollars; users of special fuels, five dollars; motor carriers, ten dollars; vehicles of motor carriers, five dollars; 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; and provided, however, that in the case of a user of special fuels for a noncommercial passenger vehicle having a fuel capacity of not more than twenty-five gallons or for self-propelled campers or auto homes used exclusively for noncommercial purposes, the fee shall be one dollar. No fee, nor part of any fee, shall be refunded by reason of relinquishment, suspension or revocation of a license.

SECTION 2. Chapter 64F of the General Laws is hereby amended by striking out section 5, as appearing in section 2 of chapter 619 of the acts of 1956, and inserting in place thereof the following section:-

Section 5. The commissioner may enter into reciprocal agreements with appropriate officials of any other state under which he may waive all or any part of the requirements imposed by this chapter and fuel or special fuel licensing requirements imposed by chapter sixty-two C upon persons who use in the commonwealth fuel or special fuels upon which the tax and license fee has been paid to such other state, provided that the laws of such other state grant equivalent privileges with respect to fuel or special fuels used in such other state upon which a tax has been paid to this commonwealth.

SECTION 3. This act shall take effect on January first, nineteen hundred and eighty-one and shall apply to licenses issued on account of all periods after said effective date.

Approved July 14, 1980.

Chap. 500. AN ACT RELATIVE TO THE POWERS OF CO-OPERATIVE BANKS REGARDING INDUSTRIAL DEVELOPMENT AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 40D of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 268 of the acts of 1980, and inserting in place thereof the following sentence:- Any bonds issued under the provisions of this chapter shall be secured by a trust agreement by and between the issuing municipality acting by and through an authority 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, a savings bank as provided in section sixty-six D of chapter one hundred and sixty-eight or a co-operative bank as provided in section thirty-two E of chapter one hundred and seventy.

SECTION 2. Section 10 of chapter 40E of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 858 of the acts of 1974, and inserting in place thereof the following sentence:- In the discretion of the authority, bonds and notes issued by it shall be secured by a trust agreement by and between the authority and a trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth, or a co-operative bank as provided in section thirty-two D of chapter one hundred and seventy.

SECTION 3. The second paragraph of section 16 of chapter 170 of the General Laws, as most recently amended by chapter 232 of the acts of 1978, is hereby further amended by inserting after the word "twenty-one", in line 12, the words:- by trustees for the holders of any bonds issued by the Massachusetts Industrial Finance Agency pursuant to chapter twenty-three A or by any industrial development finance authority of any city or town of the commonwealth pursuant to chapter forty D.

SECTION 4. Section 26 of chapter 170 of the General Laws is hereby amended by adding the following subsection:-

15. In bonds or notes issued by or through an industrial development financing authority or agency established under the provisions of chapter forty D or forty E.

SECTION 5. Said chapter 170 is hereby further amended by inserting after section 32D the following section:-

Section 32E. Subject to such rules and regulations as the commissioner may prescribe, any such corporation may act as trustee for the holders of any bonds issued by the Massachusetts Industrial Finance Agency pursuant to chapter twenty-three A or by any industrial development financing authority of any city or town of the commonwealth pursuant to chapter forty D. For all such purposes, such corporation shall have and may exercise all of the powers necessary and incidental to permit it to act as such trustee; provided, however, that no funds held by such corporation as such trustee shall be invested otherwise than in co-operative bank deposits or other investments legal for co-operative banks, or any combination thereof, as may be prescribed or permitted by the instrument under which such corporation acts as trustee.

Approved July 14, 1980.

Chap. 501. AN ACT RELATIVE TO THE TERMS OF CERTAIN NOTES ISSUED BY THE COMMONWEALTH TO FINANCE CERTAIN PAYMENTS TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary, the notes which the state treasurer is authorized to issue under section twelve of chapter one hundred and sixty-one A of the General Laws, authorizing temporary borrowings by the commonwealth to finance certain payments required to be made to the Massachusetts Bay Transportation Authority, shall be issued for terms not exceeding two years in each of the calendar years nineteen hundred and eighty-one, nineteen hundred and eighty-two, nineteen hundred and eighty-three, nineteen hundred and eighty-four and nineteen hundred and eighty-five, as recommended by the governor in a message to the General Court, dated April eighteenth, nineteen hundred and eighty, in pursuance to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved July 14, 1980.

Chap. 502. AN ACT FURTHER REGULATING EXCAVATIONS IN PUBLIC WAYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 82 of the General Laws is hereby amended by striking out section 40, as amended by section 1 of chapter 403 of the acts of 1968, and inserting in place thereof the following section:-

Section 40. No person shall, except in an emergency, contract for, or make an excavation, which shall include, but not be limited to, the discharge of explosives and the demolition of any structure but which shall not be deemed to include gardening or tilling the soil in the case of privately owned land, in any public way, any public utility company right of way or easement, or any privately owned land under which any public utility company, municipal utility department, or natural gas pipeline company maintains underground facilities, including pipes, mains, wires or conduits, unless at least seventy-two hours, exclusive of Saturdays, Sundays and legal holidays, but not more than sixty days, before the proposed excavation is to be made such person has given an initial notice in writing of the proposed excavation to such natural gas pipeline companies, public utility companies, and municipal utility departments as supply gas, electricity, or telephone service in or to the city or town where such excavation is to be made. Such notice shall set forth the name of the street or the route number of said way and a reasonably accurate description of the location in said way or on private property the excavation is to be made. If such notice cannot be given as aforesaid because of an emergency, it shall be given as soon as may be practicable. Copies of such notices together with a statement certifying that they have been mailed or delivered to such public utility companies as required by the preceding provisions of this section shall be filed with the officer or board having charge of any such public way before a permit to excavate may be approved or issued, except in case of an emergency.

Where an excavation is to be made by a contractor as part of the work required by a contract with the commonwealth or with any political subdivision thereof or other public agency, for the construction, reconstruction, relocation or improvement of a public way or for the installation of a railway track, conduit, sewer or water main, such contractor shall be deemed to have complied with the requirements of this section by giving one such notice setting forth the location and the approximate time required to perform the work involved to each of said companies.

Within seventy-two hours, exclusive of Saturdays, Sundays and legal holidays, from the time said notice is received or at such time as said company and the excavator agree in writing, said company shall respond to the original written notice or to subsequent oral or written notice by designating at the locus, the location of pipes, mains, wires or conduits, in that portion of the public way, public utility company right-of-way or ease-

ment or privately owned land in which the excavation is to be made, and the providing of such designation by the company shall constitute prima facie evidence of an exercise of reasonable precaution by the company as required by this section.

Any such excavation shall be performed in such manner, and such reasonable precautions taken to avoid damage to the pipes, mains, wires or conduits in use under the surface of said public way, public utility company right-of-way or easement, or privately owned land, including, but not limited to, any substantial weakening of structural or lateral support of such pipe, main, wire, or conduit, penetration or destruction of any pipe, main, wire or conduit or the protective coating thereof, or the severance of any pipe, main or conduit.

When any damage to any such pipe, main, wire or conduit or its protective coating occurs, the public utility company, natural gas pipeline company, or municipal utility department shall be notified immediately by the person or public agency responsible for the excavation causing the damage.

The making of an excavation without providing notice or notices required by this section with respect to any proposed excavation which results in any damage to a pipe, main, wire or conduit or its protective coating shall be prima facie evidence in any legal or administrative proceeding that such damage was caused by the negligence of such person.

Notice to the public utility underground plant damage prevention system pursuant to section seventy-six D of chapter one hundred and sixty-four, which notice provides the information required by this section with respect to any proposed excavation and which is given at least seventy-two hours, exclusive of Saturdays, Sundays and legal holidays, but not more than sixty days, before the proposed excavation is to be made, shall constitute compliance with the notice requirements of this section.

Nothing contained in this section shall be construed to affect or impair local ordinances or by-laws requiring permits to be obtained before excavating in a public way, except that, notwithstanding any contrary provision of local ordinances or by-laws, no permit to excavate in a public way shall be approved or issued by the officer or board having charge of any such way, except in an emergency, until such time as copies of such notices to public utility companies are filed by the applicant for a permit as required by this section.

Whoever violates any provision of this section shall be punished by a fine of two hundred dollars for the first offense and not less than five hundred dollars nor more than one thousand dollars for any subsequent offense.

SECTION 2. Section forty-one and forty-two of said chapter eighty-two are hereby repealed.

SECTION 3. Chapter 164 of the General Laws is hereby amended by inserting after section 76C, inserted by chapter 645 of the acts of 1968, the following section:-

Section 76D. All natural gas pipeline companies and public utility companies, as defined in section three of chapter twenty-five, shall create, participate in and be responsible for the administration of a utility underground plant damage prevention system. Said system shall be operated during normal business hours each day of the year, exclusive of Saturdays, Sundays and legal holidays, for the purpose of receiving notices of proposed excavations in public ways, utility rights-of-ways, and in privately owned land under which any public utility company, municipal utility department or natural gas pipeline company maintains underground facilities, including pipes, mains, wires or conduits, as are required by the provisions of section forty of chapter eighty-two. Said system shall be responsible, upon receipt of such notices, for immediately notifying such natural gas pipeline companies, public utility companies, and municipal utility departments as supply gas, electricity or telephone service in or to such city or town where such excavation is to take place of such proposed excavation. The cost of operating the utility underground plant damage prevention system shall be apportioned equitably among all natural gas pipeline companies, public utility companies, and municipal utility departments as supply gas, electricity or telephone service within the commonwealth according to a formula to be fixed by agreement of the companies.

The department is authorized to investigate the operation of said system and to adopt procedures necessary and appropriate to hear and resolve complaints for failure to comply with the provisions of section forty of chapter eighty-two.

Approved July 14, 1980.

Chap. 503. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY TO JOHN P. NACHEF A CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized to sell and convey in the name and on behalf of the commonwealth to John P. Nachef, 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, acquired for water supply purposes, located on Maple street in the city of Marlborough and is bounded and described as follows:-

Beginning at a point on the westerly side of Maple Street (Rte. #85), 377 feet ± from the intersection of lower Mill Street and being the most Northeasterly lot corner of an easement granted to the City of Marlborough by the M.D.C., thence:

S63°-06'-00 W a distance of 120.00 feet by said easement to an angle point, thence:

N26°-54'-00 W a distance of 184.00 feet by land owned by Emma and Stella Mercuri n or f, to a stone bound in the northeasterly sideline of land owned by John P. Nachef and Malak, thence:

N63°-06'-00 E a distance of 120.00 feet along the above mentioned sideline to another stone bound in the Westerly sideline of Maple Street, thence:

S26°-54'-00 E a distance of 184.00 feet along said Street line to the point of beginning.

Said parcel contains five-tenths of an acre (0.5A).

SECTION 2. No conveyance shall be made until a fair and independent appraisal by three disinterested appraisers of said property has been made.

Approved July 14, 1980.

Chap. 504. AN ACT RELATIVE TO THE GRANTING OF CERTAIN EASEMENTS AND INTERESTS IN LAND TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FOR CONSTRUCTION OF THE RED LINE EXTENSION.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on metropolitan district commission land located in the city of Cambridge, bounded and described as follows:

Commencing at a point "91" on the plan which is about one hundred and sixty-six feet (166') east of the center line of Alewife Brook Parkway and on the south right-of-way line of the MBTA (Boston & Maine) Railroad "Freight Cut-off";

thence running S 11°-45'-2"E a distance of two hundred and thirty-six and 04/100 feet (236.04') to a point "46";

thence turning and curve right along a 8,631.79' radius curve a distance of one hundred and forty-two and 78/100 feet (142.78') to a point of "45";

thence turning and running S 80°-26'-42"W a distance of fifty-one and 91/100 feet (51.91') to a point "60";

thence turning and running S 1°-52'-59"E a distance of ninety-four 75/100 feet (94.75') to a point "59";

thence turning and curving left along a 1,650' radius curve a distance of one hundred and sixty-two and 32/100 feet (162.32') to a point "58";

thence turning and running S 0°-40'-08"E a distance of seventy-two and 04/100 feet (72.04') to a point "57";

thence turning and running S 0°-40'-06"E a distance of one hundred and forty-three and 26/100 feet (143.26') to a point "56";

thence turning and curving left along a 150' radius curve a distance of eighty-five and 94/100 feet (85.94') to a point "55";

thence turning and running S 5°-27'-22"W a distance of one hundred eight and 71/100 feet (108.71') to a point "3704";

thence turning and curving left along an 8631.77' curve a distance of one hundred sixty-eight and 10/100 feet (168.10') to a point "3702";

thence continuing and running S 4°-45'-3"W a distance of one hundred one and 52/100 feet (101.52') to a point "960";

thence turning and running S 85°-14'-56"W a distance of one hundred twenty-nine and 82/100 feet (129.82') to a point "3526";

thence turning and curving left along a 1530' curve two hundred forty-two and 9/100 feet (242.09') to a point "3524";

thence turning and running N 0°-37'-42"W a distance of forty-six and 40/100 feet (46.40') to a point "3523";

thence turning and running N 0°-28'-57"W a distance of one hundred thirty-nine and 99/100 feet (139.99') to a point "108";

thence turning and running N 0°-44'-06"W a distance of two hundred thirty-four and 48/100 feet (234.48') to a point "107";

thence continuing and curving left along a 1,530' radius curve a distance of five hundred sixty-three and 65/100 feet (563.65') to a point "105";

thence continuing and running N 21°-50'-36"W a distance of twenty-five and 59/100 feet (25.59') to a point "104";

thence turning and running N 73°-45'-50"E a distance of two hundred thirty-six and 97/100 feet (236.97') to the point of beginning "91";

Containing one hundred and eighty-four thousand and three hundred and ninety square feet (184,390 S.F.) of land as shown as parcel C-1 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54362 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated December 9, 1978.

SECTION 2. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on metropolitan district commission land located in the city of Cambridge bounded and described as follows:

Commencing at a point "12" which is about one hundred and ninety feet (190') east of the Alewife Brook Parkway centerline

on the north right-of-way line of the MBTA Railroad "Freight Cutoff".

thence running S 73°-45'-33"W a distance of two hundred and sixty-two and 34/100 feet (262.34') to a point "891";

thence turning and running N 16°-16'-28"W a distance of forty-nine and 04/100 feet (49.04') to a point "477";

thence turning and running N 70°-10'-26"E a distance of thirty and 00/100 feet (30.00') to a point "478";

thence turning and running N 19°-49'-30"W a distance of forty-eight and 69/100 feet (48.69') to a point "479";

thence turning and curving right along a 740.00' radius curve a distance of seven hundred seventy-nine and 97/100 feet (779.97') to a point "961";

thence turning and running S 49°-26'-02"E a distance of one hundred fifty-four and 83/100 feet (154.83') to a point "947";

thence turning and curving left along a 522.88' radius curve a distance of one hundred thirty-five and 15/100 feet (135.15') to a point "449";

thence turning and curving left along a 627.74' radius curve a distance of three hundred eighteen and 38/100 feet (318.38') to a point "357";

thence turning and running S 14°-06'-09"E a distance of two hundred twenty-eight and 36/100 feet (228.36') to the point of beginning "12";

Containing one hundred and sixty-six thousand and five hundred and eighty-nine square feet (166,589 S.F.) of land in the City of Cambridge, Massachusetts.

SECTION 3. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain permanent subsurface easement on metropolitan district commission property located in the city of Cambridge, bounded and described as follows:

Commencing at a point "1067" on the plan which is about one hundred and forty-five feet (145') east of the center line of Alewife Brook Parkway and two hundred and twenty-five feet (225') south of the south right-of-way line of the MBTA Railroad "Freight Cutoff".

thence running S 11°-45'-02"E a distance of eleven and 12/100 feet (11.12') to a point "46".

thence turning and curving right along a 8361.79' radius curve a distance of one hundred forty-two and 78/100 feet (142.68') to a point "45";

thence turning and running S 80°-26'-42"W a distance of one hundred eighty-three and 25/100 feet (183.25') to a point "899";

thence turning and curving left along a 1530.00' radius curve a distance of one hundred eighty-seven and 63/100 feet (187.63') to a point "897";

thence turning and running N 89°-37'-29"E a distance of two hundred seventeen and 89/100 feet (217.89') to the point of beginning "1067";

Containing thirty-three thousand and seven hundred and four square feet (33,704 S.F.) of land as shown as parcel C-3 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54362 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated December 9, 1977.

SECTION 4. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority all its right, title and interest in and to a certain parcel of land located in the city of Cambridge, bounded and described as follows:

Commencing at a point "123" on the plan which is the intersection of the north right-of-way line of Rindge Avenue Extension and the west right-of-way line of Rindge Avenue;

thence running N 88°-19'-09"W a distance of one hundred nineteen and 43/100 feet (119.43') to a point "129";

thence turning and running N 20°-29'-27"W a distance of sixty-two and 81/100 feet (62.81') to a point "125";

thence turning and running S 66°-25'-05"E a distance of one hundred and fifty-three and 73/100 feet (153.73') to a point "122";

thence turning and curving to the left on a 200.29' radius curve, from a tangent whose bearing is S 29°-41'-27"E a distance of 97/100 of a foot (0.97') to the point of beginning "123".

Containing three thousand, five hundred and eighteen (3,518 S.F.) as shown as parcel C-4 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated November 30, 1977.

SECTION 5. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain portion of metropolitan district commission land located in the city of Cambridge, comprising a temporary surface easement bounded and described as follows:

Commencing at a point "138" which is the intersection of the north right-of-way line of the MBTA "Freight Cutoff" and the east right-of-way line of the MBTA Lexington branch; thence running N 20°-29'-26"W a distance of two hundred sixty-four and 84/100 feet (264.84') to a point "893";

thence turning and running S 60°-11'-22"E a distance of thirty and 09/100 feet (30.09') to a point "616";

thence turning and running N 4°-56'-33"E a distance of one hundred seventy-one and 55/100 feet (171.55') to a point "622";

thence turning and running N 41°-22'-43"E a distance of fifty-five and 97/100 feet (55.97') to a point "623";

thence turning and running N 47°-45'-50"E a distance of fifteen and 90/100 feet (15.90') to a point "892";

thence turning right and curving right on a 330.00' radius curve, a distance of one hundred eight and 45/100 (108.45') to a point "472";

thence turning and running S 44°-09'-15"E a distance of one hundred fifty-three and 35/100 feet (153.35') to a point "473";

thence curving left on a 175.00' curve a distance of one hundred four and 91/100 feet (104.91') to a point "474";

thence continuing S 78°-29'-57"E a distance of sixty-four and 31/100 feet (64.31') to a point "475";

thence curving to the right on an 80.00' radius curve a distance of eighty-one and 92/100 feet (81.92') to a point "477";

thence continuing S 16°-16'-29"E a distance of forty-nine and 04/100 feet (49.04') to a point "891";

thence turning and running S 73°-43'-32"W a distance of four hundred thirty-four and 78/100 feet (434.78') to the point of beginning "138".

Containing one hundred nineteen thousand, five hundred and sixty-two square feet (119,562 S.F.) of land as shown as parcel C-5 on a plan entitled "Land Acquisition Plan, Arlington and Cambridge, Massachusetts", Plan No. 54372 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated December 9, 1977.

SECTION 6. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain portion of metropolitan district commission land located in the city of Cambridge, comprising a permanent subsurface easement bounded and described as follows:

Commencing at a point "138" which is the intersection of the north right-of-way line of the MBTA "Freight Cutoff" and the east right-of-way line of the MBTA Lexington Branch;

thence running N 20°-29'-26"W a distance of one hundred ninety and 57/100 feet (190.57') to a point "895";

thence turning and running S 30°-32'-01"E a distance of one hundred ninety-six and 09/100 feet (196.09') to a point "894";

thence turning and running S 73°-43'-32"W a distance of thirty-four and 29/100 feet (34.29') to the point of beginning "138";

Containing three thousand, two hundred and fifty-eight square feet (3,258 S.F.) of land as shown as parcel C-6 on a plan entitled "Land Acquisition Plan, Arlington and Cambridge, Massachusetts" Plan No. 54372 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated December 9, 1977.

SECTION 7. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on metro-

politan district commission land located in the city of Cambridge, bounded and described as follows:

Commencing at a point "139" which is about on the west right-of-way line of the MBTA Railroad "Lexington Branch" and on the north right-of-way line of the MBTA Railroad "Freight Cutoff";

thence running S 73°-43'-31"W a distance of two hundred thirty-nine and 91/100 feet (239.91') to a point "484";

thence turning and running N 15°-5'-32"W a distance of five hundred fifty-two and 87/100 feet (552.87') to a point "827";

thence turning and running S 60°-11'-22"E a distance of two hundred ninety-three and 15/100 feet (293.15') to a point "826";

thence turning and running S 20°-29'-26"E a distance of three hundred and forty-two 50/100 feet (342.50') to the point of beginning "139".

Containing ninety-eight thousand and three hundred and seventy-three square feet (98,373 S.F.) of land as shown as parcel C-7 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54373 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority dated December 9, 1978.

SECTION 8. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain care and control easement on metropolitan district commission property located in the city of Cambridge bounded and described as follows:

Commencing at a point "1068" on the plan which is twenty feet (20') more or less, south of the centerline of the MBTA "Freight Cutoff" and forty-six feet (46'), more or less, west of the west edge of the Alewife Brook Parkway Bridge over the "Freight Cutoff".

thence turning and running N 73°-40'-42"E a distance of two hundred fifty-three and 61/100 feet (253.61') to a point "1069"; thence turning and running S 14°-6'-11.5"E a distance of forty-two and 32/100 feet (42.32') to a point "26";

thence turning and running S 73°-42'-30"W a distance of fifteen and 00/100 feet (15.00') to a point "91";

thence turning and running S 11°-45'-2"E a distance of two hundred thirty-six and 04/100 feet (236.04') to a point "46";

thence turning and running S 1°-14'-11"E a distance of one hundred forty-two and 78/100 feet (142.78') to a point "45";

thence turning and running S 80°-26'-42"W a distance of fifty-one and 91/100 feet (51.91') to a point "60";

thence turning and running S 1°-52'-49"E a distance of ninety-four and 75/100 feet (94.75') to a point "59";

thence curving right along a one thousand six hundred and fifty foot (1,650') radius curve a distance of one hundred sixty-two and 32/100 feet (162.32') to a point "58";

thence turning and running S 0°-40'-8"E a distance of seventy-two and 04/100 feet (72.04') to a point "57";

thence turning and running S 0°-40'-6"E a distance of one hundred forty-three and 26/100 feet (143.26') to a point "56";

thence turning and running S 4°-8'-35"E a distance of eighteen and 19/100 feet (18.19') to a point "957";

thence turning and running S 89°-15'-55"W a distance of one hundred twenty-two and 06/100 feet (122.06') to a point "108";

thence turning and running N 0°-44'-6"W a distance of two hundred thirty-four and 48/100 feet (234.48') to a point "107";

thence curving left along a one thousand five hundred and thirty foot (1,530') radius curve a distance of five hundred sixty-three and 65/100 (563.65') to a point "105";

thence turning and running N 21°-50'-36"W a distance of twenty-five and 59/100 feet (25.59') to a point "104";

thence turning and running N 16°-19'-19"W a distance of forty-one and 93/100 feet (41.93') to the point of beginning "1068";

Containing one hundred forty-five thousand eight hundred seventy-eight square feet (145,878 S.F.) of land in the City of Cambridge, Massachusetts.

SECTION 9. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on metropolitan district commission property located in the city of Cambridge, bounded and described as follows:

Commencing at a point "960" which is about sixty-four feet (64') east of the Alewife Brook Parkway centerline and about three hundred and sixty feet (360') south of the Rindge Avenue centerline.

thence running S 4°-45'-4"W a distance of three hundred sixteen and 57/100 feet (316.57') to a point "3725";

thence turning and running S 4°-45'-6"W a distance of sixteen and 49/100 feet (16.49') to a point "3701";

thence turning and curving right along a 1183.77' radius curve a distance of one hundred fifteen and 25/100 feet (115.25') to a point "946";

thence turning and running N 77°-19'-10"W a distance of two hundred thirty-seven and 27/100 feet (237.27') to a point "945";

thence turning and running N 12°-40'-49"E a distance of thirteen and 58/100 feet (13.58') to a point "3538";

thence turning and curving left along a 1067.86' radius curve a distance of six hundred five and 26/100 feet (605.26') to a point "3506";

thence turning and running S 20°-29'-29"E a distance of one hundred fifty-five and 51/100 feet (155.51') to a point "3513";

thence turning and curving a 970.42' radius curve a distance of two hundred twenty-four and 88/100 feet (224.88') to a point "3515";

thence turning and running S 56°-14'-29"W a distance of three and 25/100 feet (3.25') to a point "3516";

thence turning and running S 34°-13'-23"E a distance of fifteen and 83/100 feet (15.83') to a point "3517";

thence turning and running N 8°-26'-13"E a distance of one hundred fifty-seven and 96/100 feet (157.96') to a point "3526";

thence turning and running S 85°-14'-56"E a distance of one hundred twenty-nine and 82/100 feet (129.82') to the point of beginning "960";

Containing ninety-five thousand and one hundred and sixty square feet (95,160 S.F.) of land in the City of Cambridge, Massachusetts.

SECTION 10. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on Metropolitan District Commission land located in the city of Cambridge, bounded and described as follows:

Commencing at a point "12" which is about one hundred and ninety feet (190') east of the Alewife Brook Parkway centerline on the north right-of-way line of the MBTA Railroad "Freight Cutoff".

thence running S 14°-6'-11"E a distance of eighty-two and 56/100 feet (82.56') to a point "26";

thence turning and running S 73°-45'-38"W a distance of two hundred fifty-one and 97/100 feet (251.97') to a point "104";

thence turning and running N 16°-16'-29"W a distance of eighty-two and 50/100 feet (82.50') to a point "480";

thence turning and running N 73°-45'-36"E a distance of two hundred fifty-five and 10/100 feet (255.10') to the point of beginning "12".

Containing twenty thousand nine hundred and seventeen square feet (20,917 S.F.) of land in the City of Cambridge, Massachusetts as computed by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated November 9, 1978.

SECTION 11. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain air rights easement on metropolitan district commission land located in the city of Cambridge, and described as follows:

Commencing at a point "P899" which is about seventy feet (70') west of the centerline of the Alewife Brook Parkway and three hundred and fifteen feet (315') south of the southwest bridge abutment of the Parkway over the MBTA's freight Cutoff R.R.

thence running N 80°-26'-42"E a distance of nineteen feet (19.00') to a point "P1064";

thence turning and running N 0°-22'-31"W a distance of fifty-five and ninety-nine hundredths feet (55.99') to a point "P1066";

thence turning and running S 89°-37'-29"W a distance of twenty-nine and fifty-three hundredths feet (29.53') to a point "P1065";

thence turning and curving right along a 1530' radius curve a distance of sixty feet (60.00') to the point of beginning "P899".

Containing one thousand, three hundred and eighty-five square feet (1,385 S.F.) of land as shown as parcel C-11 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54362 as prepared by Sverdrup & Parcel and Associates, Inc., for the Massachusetts Bay Transportation Authority, dated November 9, 1978.

SECTION 12. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain permanent utility easement on metropolitan district commission property located in the city of Cambridge, bounded and described as follows:

Commencing on a point "1060" on the plan which is on the north right-of-way line of the MBTA "Freight Cutoff" about fifty-five feet (55') west of the centerline of track of the MBTA Railroad "Lexington Branch".

thence running N 59°-6'-56"W a distance of sixty and 15/100 feet (60.15') to a point "1058";

thence turning and running S 22°-11'-25"W a distance of forty-one and 04/100 feet (41.04') to a point "1059";

thence turning and running S 59°-6'-56"E a distance of sixteen and 33/100 feet (16.33') to a point "1061";

thence turning and running N 73°-43'-31"W a distance of fifty-five and 33/100 feet (55.33') to the point of beginning "1060";

Containing one thousand five hundred and fifty-one square feet (1551 S.F.) of land as shown as parcel C-12 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54373 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated November 9, 1978.

SECTION 13. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain portion of metropolitan district commission land located in the town of Arlington, comprising a temporary construction easement bounded and described as follows:

Commencing at a point "220" which is the intersection of the east right-of-way line of the MBTA Lexington branch and the south right-of-way line of the Concord Turnpike (Route 2);

thence running S 68°-03'-49"E a distance of one hundred and eighty-four and 67/100 (184.67') to a point "195";

thence curving to the right on a 330.00' radius curve a distance of twenty-nine and 27/100 (29.27') to a point "892";

thence turning and running S 47°-45'-50"W a distance of fifteen and 90/100 feet (15.90') to a point "623";

thence turning and running S 41°-22'-43"W a distance of fifty-five and 97/100 feet (55.97') to a point "622";

thence turning and running S 4°-56'-33"E a distance of one hundred and seventy-one and 55/100 (171.55') to a point "616";

thence turning and running N 60°-11'-22"W a distance of thirty and 09/100 feet (30.09') to a point "893";

thence turning and running N 20°-29'-26"W a distance of three hundred and nine and 33/100 feet (309.33') to the point of beginning "220";

Containing twenty-three thousand, nine hundred and seventy-seven square feet (23,977 S.F.) of land as shown as parcel A-1 on a plan entitled "Land Acquisition Plan, Arlington and Cambridge, Massachusetts" Plan No. 54372 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated December 9, 1977.

SECTION 14. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on metropolitan district commission land located in the town of Arlington, bounded and described as follows:

Commencing at a point "826" which is about three hundred and forty-three feet (343') north of the north right-of-way line of the MBTA "Freight Cutoff" and on the west right-of-way line of the MBTA "Lexington Branch";

thence running N 60°-11'-22"W a distance of two hundred and ninety-three and 15/100 feet (293.15') to a point "827";

thence turning and running N 15°-5'-32"W a distance of two hundred and seventeen and 96/100 feet (217.96') to a point "198";

thence turning and running S 68°-3'-49"E a distance two hundred and twenty-five and 90/100 feet (225.90') to a point "221";

thence turning and running S 20°-29'-26"E a distance of two hundred and ninety and 14/100 feet (290.14') to the point of beginning "826".

Containing forty-six thousand and eight hundred and nineteen square feet (46,819 S.F.) of land as shown as parcel A-2 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54373 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated November 9, 1978.

SECTION 15. The metropolitan district commission is authorized and directed to convey to the Massachusetts Bay Transportation Authority a certain temporary construction easement on metropolitan district commission land located in the town of Arlington, bounded and described as follows:

Commencing at a point "223" which is about on the north right-of-way line of Route 2 and on the west right-of-way line of the MBTA "Lexington Branch";

thence running N 68°-3'-49"W a distance of one hundred and thirty-five and 42/100 feet (135.42') to a point "234";

thence turning and curving left along a 4857.28' radius curve a distance of one hundred and eleven and 30/100 feet (11.30') to a point "233";

thence turning and running S 20°-29'-26"E a distance of forty-two and 42/100 feet (42.42') to the point of beginning "223".

Containing two thousand and ninety-six square feet (2096 S.F.) of land as shown as parcel A-3 on a plan entitled "Land Acquisition Plan, City of Cambridge, Massachusetts" Plan No. 54373 as prepared by Sverdrup & Parcel and Associates, Inc. for the Massachusetts Bay Transportation Authority, dated November 9, 1978.

SECTION 16. The Massachusetts Bay Transportation Authority is hereby prohibited from further planning or construction on the red line northwest rapid transit extension beyond a point on the so-called Lexington Branch railroad right of way located six hundred feet more or less northwesterly of Route 2 unless specifically authorized to do so by law, enacted after the effective date of this act.

Approved July 14, 1980.

Chap. 505. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF NORFOLK 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 ending June thirtieth, nineteen hundred and eighty-one.

NORFOLK COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$697,662 50
2.	For reduction of county debt		1,014,000 00
3.	For county commissioners, salaries and expenses		315,695 57
	1. Personal services	$257,631 57	

Item		Subtotal	Total
2.	Contractual services	$7,000 00	
3.	Supplies and materials	9,400 00	
4.	Current charges and obligations	41,314 00	
5.	Equipment	350 00	
4.	For transportation and expenses of county and acting commissioners		$1,940 00
5.	For centralized purchasing department, salaries and expenses		12,300 00
1.	Personal services	2,000 00	
2.	Contractual services	8,400 00	
3.	Supplies and materials	1,900 00	
6.	For county treasurer, salaries and expenses		252,496 83
1.	Personal services	194,859 38	
2.	Contractual services	39,042 50	
3.	Supplies and materials	7,565 00	
4.	Current charges and obligations	9,432 45	
5.	Equipment	1,597 50	
7.	For sheriff, salary and expenses		29,606 55
1.	Personal services	27,556 55	
2.	Contractual services	450 00	
3.	Supplies and materials	1,100 00	
4.	Current charges and obligations	500 00	
8.	For registry of deeds, salaries and expenses		1,023,268 28
1.	Personal services	803,278 28	
2.	Contractual services	34,000 00	
3.	Supplies and materials	32,600 00	
4.	Current charges and obligations	150,000 00	
5.	Equipment	3,390 00	
10.	For highways, including state highways, bridges and land damages		372,379 68
1.	Personal services	319,749 68	
2.	Contractual services	40,000 00	
3.	Supplies and materials	9,000 00	
4.	Current charges and obligations	3,630 00	
15.	For medical examiners and commitments of insane		75,000 00
16.	For jail and house of correction, maintenance and operation		1,550,066 76
1.	Personal services	1,128,428 52	

Item			Subtotal	Total
	2.	Contractual services	$82,495 00	
	3.	Supplies and materials	307,605 00	
	4.	Current charges and obligations	7,915 00	
	5.	Equipment	9,623 24	
	6.	All other	14,000 00	
18.	For court houses and registry buildings, maintenance and operation			$1,170,482 75
	1.	Personal services	683,797 75	
	2.	Contractual services	315,150 00	
	3.	Supplies and materials	159,400 00	
	4.	Current charges and obligations	8,000 00	
	5.	Equipment	4,135 00	
20.	For agricultural school or county cooperative extension service			1,557,430 00
	1.	Personal services	1,100,000 00	
	2.	Contractual services	204,050 00	
	3.	Supplies and materials	205,000 00	
	4.	Current charges and obligations	20,450 00	
	5.	Equipment	27,930 00	
25.	For contributory retirement system and supervisory expenses			869,892 00
26.	For miscellaneous and contingent expenses			200,679 14
27.	For unpaid bills of previous years			101,648 06
28.	For reserve fund			50,000 00
28e.	For reserve for federal grants			39,266 00
29.	For advertising recreational, industrial and agricultural advantages of the county			100,000 00
37.	For human services			37,000 00
39.	For group insurance			575,000 00
45.	For Wollaston recreational facility			295,897 86
	Total amount of appropriations			$10,341,711 98
	Less estimated amount available for reduction of county tax			1,968,840 34
	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			$8,372,871 64

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	$378,500 00

SECTION 2. This act shall take effect on July first, nineteen hundred and eighty.

Approved July 14, 1980.

Chap. 506. AN ACT INCREASING THE SALARIES OF THE CHAIRMAN AND MEMBERS OF THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

Chapter 23 of the General Laws is hereby amended by striking out section 15, as most recently amended by section 2 of chapter 997 of the acts of 1977, 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-five thousand four hundred dollars and each of the other members shall receive a salary of thirty-three thousand nine hundred 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.

Approved July 14, 1980.

Chap. 507. AN ACT RELATIVE TO SURPLUS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Net Profits" in section 1 of chapter 170 of the General Laws, added by section 1 of chapter 87 of the acts of 1953, is hereby amended by striking out, in line 4, the words "sections thirty-seven and thirty-eight" and inserting in place thereof the words:- section thirty-seven and subsection (2) of section thirty-eight.

SECTION 2. The second paragraph of section 3 of said chapter 170, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out, in line 2, the word "guaranty" and inserting in place thereof the word:- surplus.

SECTION 3. The first sentence of subsection 2 of section 26 of said chapter 170, as amended by chapter 218 of the acts of 1962, is hereby further amended by striking out, in line 26, the words "the guaranty fund and".

SECTION 4. Subsection 4A of said section 26 of said chapter 170 is hereby amended by striking out paragraphs (a) and (b), as appearing in section 1 of chapter 461 of the acts of 1971, and inserting in place thereof the following two paragraphs:-

(a) Shares of beneficial interest of the Savings Bank Investment Fund; provided that no such corporation shall invest in such shares (i) if the cost thereof added to the cost of such shares already owned shall exceed fifty per cent of the total surplus of such corporation or (ii) if the cost thereof added to the amount already invested in such shares and in stocks shall exceed the total of such surplus.

(b) Preferred and common stocks of any company described in section forty-five or section forty-six of chapter one hundred and sixty-eight, an obligation of which can qualify for investment under said sections; provided, that in each of the five years immediately preceding the date of investment such company shall have earned and paid dividends on each class of outstanding stock and the after tax net operating income, as hereinafter defined, of such company shall have been not less than twice the sum of the amount necessary to pay the interest for the same periods, excluding interest charged to fixed assets during construction thereof, if any, on all of its outstanding indebtedness and of the amount required to pay dividends on all of its preferred stock, if any. As used in this paragraph the words "after tax net operating income" shall mean the amount available for payment of interest and dividend charges after deduction from total operating revenues of all operating expenses, including current maintenance, provision for depreciation, all taxes including federal income taxes, rentals and guaranteed interest or dividends. No such corporation shall invest in such preferred or common stocks (i) if the cost thereof added to the cost of such preferred or common stocks, as the case may be, already owned shall exceed twenty-five per cent of the total surplus of such corporation or (ii) if the cost thereof added to the amount already invested in stocks and in shares of beneficial interest of said Savings Bank Investment Fund shall exceed the total surplus; and provided that no such corporation shall invest more than one-half of one per cent of its assets in the stock of any one such company.

SECTION 5. The second sentence of the first paragraph of section 30 of said chapter 170, as amended by chapter 278 of the acts of 1979, is hereby further amended by striking out, in lines 4 and 5, the words "guaranty fund,".

SECTION 6. Said chapter 170 is hereby further amended by striking out section 37, as most recently amended by section 1 of chapter 373 of the acts of 1965, and inserting in place thereof the following section:-

Section 37. The board of directors, at each distribution date which shall be monthly, quarterly, semiannually or annually on a bank day, shall distribute the net profits in the following manner:

(a) Dividends and interest shall be distributed to the various classes of shares and accounts referred to in section thirteen, then existing, at such dividend and interest rates respectively applicable to each class as shall be determined by the directors. Such distributions to each class of shares shall be made on the basis of their value at that time and shall be computed on the basis of a single share fully paid to the date of distribution. Distributions to paid-up shares, as to each holder thereof, shall be credited or reserved for credit to a savings share account or a dividend savings account in his name, or shall be paid to him if he or the corporation so elects. Paragraph (c) of subsection (3) of section thirteen shall apply to distributions to savings share accounts and to dividend savings accounts. Distributions to club accounts shall be in accordance with the terms thereof. Any distributions which are to be credited to savings share accounts, dividend savings accounts and club accounts may, at the option of the directors, be reserved for credit at a later date which shall be within three months as to savings share accounts and dividend savings accounts, and within one year as to club accounts. Nothing contained in this section shall be construed as preventing any such corporation from making, within its taxable year as determined for federal income tax purposes, at least four distributions if on a quarterly basis, or at least two distributions if on a semiannual basis, or at least one distribution if on an annual basis.

(b) After such distribution or provision therefor, any balance of net profits then remaining shall be transferred to one or more of the following accounts: to the surplus account referred to in section thirty-eight, to a reserve for bad debts, to other reserve accounts, to a profit and loss account, or to an undistributed earnings account; subject, however, to such appropriate adjustments of amounts so transferred during the taxable year of such corporation as may be made for federal income tax purposes prior to or as of the end of such taxable year. No supplementary or extra distribution of dividends or interest shall be made from any amounts so transferred unless, at the time of such distribution, the combined surplus account, reserve for bad debts and unallocated reserves, in the judgment of the board of directors, shall equal at least eight per cent of the share liability of such corporation, nor shall any supplementary or extra

distribution of dividends or interest be made which will reduce said reserves to an amount less than eight per cent of the share liability of said corporations; unless the required transfer to reserves shall have first been made from current earnings. Upon written approval of the commissioner a supplementary or extra distribution of dividends may be made in part or in full from the surplus account.

SECTION 7. Said chapter 170 is hereby further amended by striking out section 38, as amended by section 2 of chapter 257 of the acts of 1955, and inserting in place thereof the following section:-

Section 38. (1) Every such corporation shall establish and maintain a surplus account to which all undivided profits and earnings of the corporation shall be transferred. The surplus account shall be used to meet losses, contingencies, and adjustments arising out of or incidental to the operation of the corporation's business. The directors may authorize payment from the surplus account of amounts sufficient to enable the corporation to distribute dividends and interest to shares and accounts. The aggregate amount of the surplus account required by this section shall not exceed at any time twenty per cent of the deposits of the corporation.

(2) Every such corporation shall establish and maintain as part of surplus a restricted surplus account to provide for specific liabilities or for depreciation, to effect reductions in book values of specific assets or, upon depletion of the surplus account authorized by subsection (1) and with written notice to the commissioner, to provide funds for general use by the corporation in the conduct of its business. Immediately prior to the April bank day of such corporation, there shall be transferred from surplus to restricted surplus an amount equal to five per cent of the net profits of the corporation for the twelve months ending with said bank day. Additions or transfers shall continue to be made to restricted surplus until such time as it is at least equal to five per cent of deposits.

(3) Every such corporation shall notify the commissioner by written notice in the event that the net income listed in the annual report required under section forty-two indicates a deficit. Such notification shall be transmitted as soon as possible after the annual report is completed, describing in summary form the circumstances surrounding any such deficit.

SECTION 8. Section thirty-nine of said chapter one hundred and seventy is hereby repealed.

SECTION 9. Section 46 of said chapter 170, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out, in line 4, the words "guaranty fund and".

SECTION 10. The last paragraph of section 48 of said chapter 170, as amended by chapter 105 of the acts of 1958, is hereby

further amended by striking out, in line 3, the words "guaranty fund,".

SECTION 11. The third paragraph of section 50 of said chapter 170, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out, in line 5, the words "their guaranty funds and".

SECTION 11A. Said chapter 170 is hereby further amended by adding the following section:-

Section 54. Solely for the purpose of determining whether a federally chartered savings and loan association domiciled in the commonwealth is authorized to convert to the federal stock form pursuant to 12 USC 1725, the laws of the commonwealth shall be deemed to authorize the operation of state chartered stock associations.

SECTION 12. The first paragraph of section 3A of chapter 73 of the acts of 1934, as appearing in section 3 of chapter 227 of the acts of 1939, is hereby amended by striking out, in lines 44 and 45, the words "guaranty fund or".

SECTION 13. The aggregate of any guaranty fund and surplus accounts held by any such corporation upon the effective date of this act shall be established and maintained as surplus required by section seven, and shall thereafter be subject to the provisions of said section seven, relative to surplus; provided, that amounts in the guaranty fund may, in the discretion of directors of any such corporation, be established and maintained in restricted surplus required by said section seven.

Approved July 14, 1980.

EMERGENCY LETTER - August 8, 1980 @ 4:30 P.M.

Chap. 508. AN ACT FURTHER REGULATING THE DISPOSAL OF HAZARDOUS WASTE MATERIALS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to immediately encourage and expedite the process of development of hazardous waste treatment and disposal facilities which provide adequate safeguards to protect the public health, safety, and environment of the commonwealth, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public health, safety, and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 21C of the General Laws, inserted by section 2 of chapter 704 of the acts of 1979, is hereby amended by striking out the ninth paragraph and inserting in place thereof the following paragraph:-

The department shall require that a licensee obtain and maintain in effect a contract of liability insurance, a surety bond or

other evidence of financial responsibility in favor of the commonwealth sufficient to assure financial responsibility in the event of damages resulting from accidents, negligence, misconduct, or malfunctioning in the construction, maintenance and operation of a facility, or from any other circumstances reasonably foreseeable occurring during or after construction or in the course of the maintenance and operation of hazardous waste facilities.

SECTION 2. The first paragraph of section 7 of said chapter 21C, inserted by said section 2 of said chapter 704, is hereby amended by striking out the second and third sentences.

SECTION 2A. Said section 7 of said chapter 21C is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the following two paragraphs:-

The department shall grant a license to construct, maintain and operate a facility on a site if it determines that said construction, maintenance, and operation does not constitute a significant danger to public health, public safety, or the environment, does not seriously threaten injury to the inhabitants of the area or damage to their property, and does not result in the creation of noisome or unwholesome odors. In making this determination, the department shall consider, but not be limited to, the following information which the applicant for a license shall submit in such form and manner as the department shall prescribe and require: detailed engineering plans and specifications; a description of maintenance and operating procedures; a description of the applicant's qualifications and experience in constructing, managing, and operating a facility; a plan for closure and post closure care of the facility and site; a statement of the applicant's financial condition; a statement of the amount and types of waste to be received at the facility; the results of chemical analysis of the surface and groundwaters in the area of the site's locus; and a hydrogeological study of the site area, for any proposal to dispose of hazardous waste into or on the land, or for other proposals if the department has sufficient reason to believe that the potentialities exist for groundwater contamination. The applicant shall be required to submit such other information as the department finds to be relevant and useful in making its determination. The department shall, where appropriate in making its determination, further consider such factors including, but not limited to, the following: topography; geological and soil conditions; climate; surface water and groundwater hydrology, including water run-off and run-on characteristics, wetlands and flooding conditions; drinking water supplies; and compliance with applicable statutes, regulations, and judicial decisions regarding the protection of air, water and land resources. Nothing in this section shall be construed to

deny or limit the right of the department to obtain and use such other information which it deems necessary to assist it in making its determination.

The department may issue a license subject to such terms, restrictions, conditions and requirements as it determines to be necessary to comply with the provisions of this chapter. No facilities shall be constructed, maintained or operated except pursuant to the terms, restrictions, conditions and requirements established by the department in a license duly issued hereunder and pursuant to the terms of an assignment of a site for said facilities if said assignment is required pursuant to the provisions of section one hundred and fifty A of chapter one hundred and eleven.

SECTION 3. Said section 7 of said chapter 21C is hereby further amended by inserting after the eleventh paragraph the following two paragraphs:-

No landfill for the treatment or disposal of hazardous waste shall be operated in such a manner as to cause discharge of hazardous waste into surface waters or groundwaters which the department or the water resources commission has determined are presently used, or may reasonably be expected to be used in the future, as sources for the supply of drinking water.

Hazardous waste shall be disposed of in a landfill only (a) after said hazardous waste has been given all treatment as directed by the department pursuant to rules, regulations, procedures and standards duly prescribed including, but not limited to, the requirement of treatment at the place of generation when determined to be appropriate by the department and (b) where the department finds that said hazardous waste cannot be recycled, destroyed, or disposed of by some other means approved by the department pursuant to its rules, regulations, procedures or standards.

SECTION 4. Chapter 111 of the General Laws is hereby amended by inserting after section 150A the following section:-

Section 150B. The definition of "facility" in section one of chapter twenty-one D shall apply to this section. Any such facility shall be subject to this section and not subject to section one hundred and fifty A.

No place in any city or town shall be established or maintained or operated by any person, including any political subdivision or agency of the commonwealth, as a site for a facility, unless such place has either been assigned by the board of health of such city or town as a site for a facility after a public hearing, subject to the provisions of any ordinance or by-law adopted therein under chapter forty A or corresponding provisions of earlier laws, or, in the case of an agency of the commonwealth, has been assigned by the department of environmental quality engineering, in this section called the department after a public

hearing and unless public notice of such assignment has been given by the board of health.

The assignment of a place as a site for a facility shall be subject to such limitation with respect to the extent, character and nature of operation thereof as will insure that the facility imposes no significantly greater danger to the public health or public safety from fire, explosion, pollution, discharge of hazardous substances, or other construction or operational factors than the dangers that currently exist in the conduct and operation of other industrial and commercial enterprises in the commonwealth not engaged in the treatment, processing or disposal of hazardous waste, but utilizing processes that are comparable. In assessing the significance and degree of danger, the board shall consider and evaluate such evidence as all interested persons may submit to it including, but not limited to, evidence comparing the procedures and practices proposed for the conduct and operation of a facility with the procedures and practices existing in the conduct and operation of other industrial and commercial enterprises in the commonwealth not engaged in the treatment, processing or disposal of hazardous waste which are conducted and operated in accordance with law and sound principles of modern engineering practice. The board of health shall notify the department upon receipt of an application to assign a place as a site for a facility. The department shall, upon request by the board of health, provide advice, guidance and technical assistance in reviewing the application. The department and a board of health may enter into such other cooperative arrangements in addition to those herein specified for the purpose of achieving a more effective and expeditious review of the application.

Every decision of the board of health in assigning or refusing to assign a place as a site for a facility shall be in writing and shall include a statement of reasons and the facts relied upon by the board in reaching its decision.

Any person aggrieved by the action of a board of health in refusing to assign a place as a site for a facility may, within thirty days of the publication of notice of said decision, appeal to the superior court, which may affirm said decision of the board of health, remand the matter for further proceedings before the board of health, set aside or modify said decision, or order the board of health to take any action unlawfully withheld or unreasonably delayed if the court determines that the substantial rights of any party may have been violated because said decision violated constitutional provisions or was in excess of the statutory authority and jurisdiction of the board of health or was based upon an error of law or was made upon unlawful procedure or was unsupported by substantial evidence, or was arbitrary, capricious, or an abuse of discretion, or otherwise not in accordance with law.

Any person aggrieved by the action of a board of health in assigning a place as a site for a facility may, within thirty days of the publication of notice of such assignment, appeal to the department from the assignment of the board of health. Upon such appeal or upon the department's own initiative, the department may, after due notice and public hearing, rescind or suspend such assignment or modify the same by the imposition or amendment of terms, restrictions, conditions and requirements.

Upon determination that the maintenance and operation of a facility has resulted in a significant danger to public health or is not in compliance with the terms, restrictions, conditions and requirements established for its maintenance and operation in an assignment made pursuant to the provisions of this section, said assignment may be rescinded or suspended or may be modified through the imposition or amendment of terms, restrictions, conditions and requirements at any time after due notice and a public hearing by the board of health where such facility is located, upon its own initiative or upon complaint by any person aggrieved by such assignment, or by the department upon its own initiative or upon complaint by any person aggrieved by said assignment. Every such rescission, suspension or modification shall be in writing and shall include a statement of reasons and the facts relied upon by the board of health or the department in taking such action.

Any person aggrieved by the action of the board of health or the department in rescinding, suspending or modifying an assignment may, within thirty days of publication of notice or such rescission, suspension or modification of said assignment, appeal to the superior court, which may affirm said rescission, suspension or modification, remand the matter for further proceedings, set aside or modify said rescission, suspension or modification, order any action unlawfully held or unreasonably delayed if the court determines that the substantial rights of any party may have been violated because said rescission, suspension or modification violated constitutional provisions or was in excess of statutory authority and jurisdiction or was based upon an error of law or was made upon unlawful procedure or was unsupported by substantial evidence or was arbitrary, capricious or an abuse of discretion, or otherwise not in accordance with law.

The department shall adopt, and may from time to time amend rules and regulations, and the commissioner may issue orders, to enforce the provisions of this section. Any person, including any political subdivision of the commonwealth, who fails to operate and maintain a facility in accordance with the provisions of this section or in accordance with any rules, regulations, or orders hereunder promulgated shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars. Each day's failure to comply with said provisions, rules, regulations or orders shall constitute a separate violation.

The superior court shall have jurisdiction in equity to enforce the provisions of this section upon petition of the department or any aggrieved person.

SECTION 5. Section 9 of chapter 40A of the General Laws is hereby amended by adding the following paragraph:-

A hazardous waste facility as defined in section two of chapter twenty-one D shall be permitted to be constructed as of right on any locus presently zoned for industrial use pursuant to the ordinances and by-laws of any city or town provided that all permits and licenses required by law have been issued to the developer and a siting agreement has been established pursuant to sections twelve and thirteen of chapter twenty-one D, provided however, that following the submission of a notice of intent, pursuant to section seven of chapter twenty-one D, a city or town may not adopt any zoning change which would exclude the facility from the locus specified in said notice of intent. This section shall not prevent any city or town from adopting a zoning change relative to the proposed locus for the facility following the final disapproval and exhaustion of appeals for permits and licenses required by law and by chapter twenty-one D.

SECTION 6. Section 19 of chapter 16 of the General Laws is hereby amended by adding the following paragraph:-

The department of environmental management shall not exercise its eminent domain authority as authorized herein for the acquisition of sites for hazardous waste treatment, processing or disposal until all permits, licenses and approvals of the city or town wherein the site lies have been granted, a siting agreement has been established pursuant to the provisions of sections twelve and thirteen of chapter twenty-one D, and the approval of said exercise of eminent domain authority has been obtained by a majority vote of the city council, board of aldermen, or board of selectmen of said city or town.

SECTION 7. Chapter 704 of acts of 1979 is hereby amended by inserting after section 9 the following section:-

Section 9A. It is hereby declared that the provisions of this chapter are severable, and if any provision of this chapter shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of this chapter.

SECTION 8. The General Laws are hereby amended by inserting after chapter 21C the following chapter:-

CHAPTER 21D.

MASSACHUSETTS HAZARDOUS WASTE FACILITY SITING ACT.

Section 1. This chapter shall be known and may be cited as the "Massachusetts Hazardous Waste Facility Siting Act".

Section 2. Unless the context clearly indicates otherwise, when used in this chapter, the following words and phrases shall have the following meanings:

"Abutting community", a city or town contiguous to or touching upon any land of the host community.

"Chief Executive Officer", the city manager in any city having a city manager, the mayor in any other city; the town manager in any town having a town manager, the chairman of the board of selectmen in any other town.

"Commissioner", the commissioner of the department of environmental management.

"Committee", the local assessment committee.

"Council", the hazardous waste facility site safety council.

"Compensation", any money, thing of value or economic benefit conferred by the developer on any city, town, or person under the terms and conditions specified in the siting agreement established by sections twelve and thirteen of chapter twenty-one D.

"Department", the department of environmental management.

"Developer", any person proposing to construct, maintain, or operate a hazardous waste facility in any city or town of the commonwealth.

"Disposal", the discharge, deposit, injection, dumping, spilling, leaking, incineration or placing of any hazardous waste into or on any land or water so that such hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

"Facility", a site or works for the storage, treatment, dewatering, refining, incinerating, reclamation, stabilization, solidification, disposal or other processes where hazardous wastes can be stored, treated or disposed of; however, not including a municipal or industrial waste water treatment facility if permitted under section forty-three of chapter twenty-one.

"Generator", a person who produces hazardous waste.

"Hazardous waste", a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed, however not to include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act of 1967 as amended, or source, special nuclear, or by-product material as defined by the Atomic Energy Acts of 1954.

"Hazardous waste management", the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous wastes.

"Host community", the city or town in which a developer proposes to construct, maintain and operate a hazardous waste facility.

"Person", any agency or political subdivision of the federal government or the commonwealth, any state, public or private corporation or authority, individual, trust, firm, joint stock company, partnership, association, or other entity, and any officer, employee or agent of said person, and any group of said persons.

"Secretary", the secretary of the executive office of environmental affairs.

"Storage", the actual or intended containment of hazardous waste on a temporary basis or for a period not exceeding nine months or another period set by regulation or the department of environmental quality engineering, in a manner which does not constitute disposal.

"Treatment", any method, technique or process, including neutralization, incineration, stabilization or solidification, designed to change the physical, chemical or biological character or composition of any hazardous waste so as to neutralize such waste or so as to render such waste less hazardous, non-hazardous, safer to transport, amenable to storage, or reduced in volume, except such method or technique as may be included as an integral part of a manufacturing process at the point of generation.

Section 3. The department of environmental management shall have the following powers and duties:

(1) to prepare and issue annually a statewide environmental impact report, after first providing the council an adequate opportunity to review and comment on the contents of said report prior to its final adoption by the department. Said statewide environmental impact report shall describe and evaluate the hazardous waste management situation existing in the commonwealth, together with such feasible alternative solutions as may be available for the treatment, processing and disposal of hazardous waste, which report shall include, but not be limited to information concerning:

(a) the existing sources of hazardous waste;

(b) the types of technologies available for the treatment, processing and disposal of hazardous waste;

(c) the impacts, both favorable and adverse, resulting from the use of each type of technology;

(d) actions which might be taken to avoid dangers, minimize risks, or remedy unavoidable consequences;

(e) the kinds of benefits and protective mechanisms which may be made available to host and abutting communities; and

(f) the existing rules, regulations, procedures and standards which have been established to protect the public health, the public safety, and the environment; and

(g) the sources and types of hazardous waste generated in the commonwealth, the adequacy of existing facilities for the treatment processing and disposal of said hazardous waste, and the additional facility capacity needed in order to eliminate the shortfall in capacity if any, that may exist;

(2) to give due notice to the public, and to conduct briefing sessions pursuant to the provisions of section eight of this chapter;

(3) to solicit proposals for the construction, maintenance and operation of a hazardous waste facility designed to treat, process, or dispose of such hazardous waste shortfalls in capacity as have been indicated in the statewide environmental impact report, to consider if said proposals are environmentally safe and technologically sound, and to report the results of its activities to the council semi-annually;

(4) to disseminate information widely throughout the commonwealth, in cooperation with other state departments, boards, agencies and commissions, on the treatment, processing and disposal of hazardous waste, its impact on the economy of the commonwealth, the types of technology available, and the social and economic benefits and potential dangers resulting from the use of each type of technology;

(5) to publicize throughout the commonwealth all proposals for the construction, maintenance and operation of hazardous waste facilities in order to inform the public and to encourage the development of suggestions for sites; and

(6) to accept any gifts or grants of money or property, whether real or personal, from any source, private or public, including, but not limited to, the United States of America or its agencies, in order to promote the purposes of this chapter.

In preparing the statewide environmental impact report required by this section, the department may revise and update said report to comply with the provisions of this section.

The department shall adopt such rules, regulations, procedures and standards as may be necessary to carry out its powers and to perform its duties pursuant to chapter thirty A of the General Laws. Said rules, regulations, procedures and standards shall be developed by the department after appropriate consultation and review by interested and affected persons and agencies as determined by the department including, but not limited to, the hazardous waste facility site safety council, the department of environmental quality engineering, the department of public health, and city and town officials, including city and town public health officers.

The department shall cooperate with the department of environmental quality engineering and exchange information where possible to avoid duplication of activities.

Section 4. There is hereby established the hazardous waste facility site safety council whose powers and duties shall be:

(1) to observe the conduct and operation of the hazardous waste facility siting process established by this chapter and to advise all participants in the said process as to methods and actions designed to provide for the more effective, efficient and successful implementation of said process;

(2) to review the rules, regulations, procedures, and standards proposed to be adopted by the department as they relate to the hazardous waste facility siting process prior to their adoption and to recommend to the department whatever changes in said rules, regulations, procedures or standards the council determines shall serve to carry out the purposes and implement the provisions of this chapter;

(3) to review and comment upon the statewide environmental impact report prior to its final adoption by the department including, but not limited to, the capacity shortfall portion of said report, and to review and comment upon all other documents, reports or forms prepared by the department for public distribution prior to distribution to the public of said documents, reports or forms;

(4) to administer, manage and coordinate the social and economic impact appendix of the preliminary project impact report in cooperation with the secretary who is at the same time administering, managing and coordinating the environmental impact report portion of the said preliminary project impact report;

(5) to award technical assistance grants to cities and towns upon criteria established by the council, including, but not limited to, contracts, consultants, financial experts and other assistants in the opinion of the council is necessary; provided, however, that the said grant shall not exceed fifteen thousand dollars; and further provided, that the community may petition the council for an additional grant as the need arises;

(6) may consult with the executive office of communities and development in the awarding of said grants;

(7) in carrying out its functions, the council shall cooperate with, and may obtain information and recommendations from every agency of the state government and of local government which may be concerned with any matter under the purview of the council. Each said state or local government agency is directed to provide such information and recommendations as may be requested, the council shall cooperate with other states and with the federal government or any agency thereof;

(8) to review all proposals for the construction and operation of hazardous waste facilities on proposed or suggested sites and,

after appropriate consultation with the department of environmental quality engineering, to reject proposals which the council finds to be unacceptable for the hazardous waste facility siting process established by this chapter;

(9) to establish the compensation to be paid by the developer to abutting communities pursuant to the provisions of section fourteen;

(10) to undertake measures and actions designed to encourage and facilitate negotiations among the developer, the host community, abutting communities, and any persons interested in proposals for the construction, maintenance and operation of hazardous waste facilities on particular proposed or suggested sites;

(11) to determine if an impasse exists between the developer and the host community in negotiations over a siting agreement which requires submission of the matter to arbitration pursuant to the provisions of section fifteen;

(12) to encourage cooperation between a host community and abutting communities in negotiations with the developer over compensation; and

(13) to adopt such rules, regulations, procedures and standards as may be necessary for carrying out its powers and performing its duties pursuant to the provisions of this chapter.

The council, which shall consist of twenty-one members, shall be comprised of the following members: the secretary of environmental affairs or his designee; the secretary of economic affairs or his designee; the secretary of public safety or his designee; the secretary of communities and development or his designee; the commissioner of environmental quality engineering or his designee; the commissioner of environmental management, or his designee; the commissioner of public health or his designee; the chairman of the public utilities commission or his designee, and thirteen members appointed by the governor one of whom shall be a representative of the Massachusetts Municipal Association; one of whom shall be a representative of the Massachusetts Health Officers Association; one of whom shall be a representative of local boards of health; one of whom shall be a representative of the Associated Industries of Massachusetts; one of whom shall be a professional hydrogeologist; one of whom shall be a professional chemical engineer; one of whom shall be a representative of the public knowledgeable in environmental affairs; and six of whom shall be a representative of the public.

The council shall meet at such time and place as determined by the chairman. Eleven members shall constitute a quorum. A quorum must be present to conclude a site agreement.

The committee may appoint two residents of the host community for the purpose of participating in and voting upon matters relative to the site selection in said community. Said residents shall serve without compensation.

No member shall have a financial interest in any of the decisions, actions or reports of the council. Such financial interest shall include, but not be limited to, service as a consultant to any person specializing in the treatment, processing or disposal of hazardous waste, or as an attorney of a party with a direct financial interest in the treatment, processing or disposal of hazardous waste.

The members of the council appointed by the governor shall be appointed for a term of five years, except that the representatives of the Massachusetts Municipal Association, the Associated Industries of Massachusetts, and two representatives of the public initially appointed shall be appointed for terms of three years; the representative of the Massachusetts Health Officers Association, the professional hydrogeologist, the representative of the public knowledgeable in environmental affairs, and two representatives of the public initially appointed shall be appointed for terms of four years; and the representative of the local boards of health, the professional chemical engineer, and two representatives of the public initially appointed shall be appointed for terms of five years. No member appointed by the governor shall be eligible to serve for more than two terms. Persons appointed by the governor to fill vacancies shall serve for the unexpired term of said vacancy.

Each member of the council appointed by the governor shall receive, (subject to appropriation,) fifty dollars for each day or part thereof for his services and shall also receive all reasonable expenses actually and necessarily incurred in the performance of his official duties.

The governor shall appoint, from among the members he has appointed to the council, a chairman.

In addition to the powers and duties of the council established by this section, the council shall appoint a full-time executive secretary to serve at its pleasure. The appointment and removal of said executive secretary shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty. The executive secretary shall receive such salary, subject to appropriation, as may be determined by the council subject to the approval of the commissioner of administration.

The council may receive and expend such funds as are appropriated or as may be made available to it from the funds of other agencies. The executive secretary may employ such staff and consultants as are required to assist the council in the performance of its functions and duties, upon approval of a majority of the council, (subject to appropriation.)

The estimate of the amount required for the maintenance of the council required to be filed under section three of chapter twenty-nine shall be submitted by the executive secretary with the advice and consent of the council.

The council shall develop and submit to the commissioner of administration, after notice and a public hearing, a schedule of reasonable fees to be imposed upon a developer in the implementation of the provisions of this chapter by said commissioner. In developing said schedule of reasonable fees, the council shall consider the actual costs incurred by the commonwealth in the conduct and operation of the hazardous waste facility siting process established by this chapter.

Section 5. Not more than thirty days after the receipt of a notice of intent to construct, maintain and operate a hazardous waste facility on a site in a city or town, or notification by the department that this community is a host community in the final list of suggested sites established by the council pursuant to section seven, the chief executive officer of said city or town shall take appropriate action to establish a local assessment committee. Said committee shall be comprised of (1) the chief executive officer, who shall serve as its chairman, (2) the chairman of the local board of health or his designee, (3) the chairman of the local conservation commission or his designee, (4) the chairman of the local planning board or his designee, (5) the chief of the fire department or his designee, (6) four residents of said city or town appointed by a majority vote of the aforementioned city or town officials or their designees, three of whom shall be residents of the area of the city or town most immediately affected by the proposed facility; and (7) not more than four members nominated by the chief executive officer and approved by a majority vote of the city council, board of aldermen, or board of selectmen of said city or town. Said four members nominated by the chief executive officer may include representatives of abutting communities; each representative of an abutting community shall be approved by a majority vote of the city council, board of aldermen, or board of selectmen of said abutting community. A majority of the members shall constitute a quorum for the purpose of conducting all business. The chairman shall preside over meetings of the committee. All actions and decisions of the committee pursuant to this chapter shall be made by majority vote. Not more than thirty days after the receipt of a notice of intent to construct, maintain and operate a hazardous waste facility on a site in said city or town, or notification by the department that this community is a host community on the final list of suggested sites established by the council pursuant to section seven, the chief executive officer of said city or town shall submit to the council the names and addresses of all the members of the local assessment committee.

If the chief executive officer of said city or town fails to take appropriate action to establish a local assessment committee and to submit the names and addresses of its membership to the council not later than thirty days after the receipt of said notice

of intent, or notification by the department that this community is a host community on the final list of suggested sites established by the council pursuant to section seven of this chapter, the council shall establish and appoint the membership of said committee.

The chief executive officer shall promptly report to the council any changes that may occur in the members of the local assessment committee.

A local assessment committee shall have the following powers and duties:

(1) to represent generally the best interests of the host community in all negotiations with the developers of proposed facilities in said community;

(2) to negotiate with the developer the detailed terms, provisions, and conditions of a siting agreement to protect the public health, the public safety, and the environment of the host community, as well as to promote the fiscal welfare of said community through special benefits and compensation;

(3) to receive and expend such technical assistance and planning grants as may be made available pursuant to section eleven of this chapter and such other funds as may become available for such purposes from any other source, public or private;

(4) to enter into a nonassignable contract binding upon the host community, and enforceable against said host community in any court of competent jurisdiction, by the decision to sign a siting agreement pursuant to section thirteen of this chapter;

(5) to cooperate wherever possible with abutting communities in negotiations with the developer over compensation for said abutting communities; and

(6) to adopt such rules, regulations, procedures and standards as may be necessary to carry out its functions and perform its duties under this chapter.

The provisions of sections twenty-three A and twenty-three B of chapter thirty-nine shall apply to all meetings of a local assessment committee except that, in addition to the purposes for which executive sessions may be held pursuant to section twenty-three B of chapter thirty-nine, an executive session of a local assessment committee may also be held to discuss strategy with respect to the negotiation of a siting agreement or to consider the terms, conditions and provisions of said siting agreement if such discussion or consideration in an open meeting may have a detrimental effect upon the negotiating position of the local assessment committee or the establishment of the terms, conditions and provisions of said siting agreement.

Section 6. Notwithstanding the provisions of any law to the contrary, any information, record, or particular part thereof, obtained by the department pursuant to the provisions of this

chapter, shall, upon request, be kept confidential and not be considered to be a public record when it is deemed by the commissioner that such information, record or report relates to secret processes, methods of manufacture or production, or that such information, record or report, if made public, would divulge a trade secret. Nothing in this section shall be construed to limit or to deny the power of the department to use such information, record or report as part of aggregated statistics and computations in its statewide environmental impact report including, but not limited to, the capacity shortfall of hazardous waste facilities.

Section 7. Every developer proposing to construct, maintain and operate a hazardous waste facility shall submit a notice of intent to the council, the department, the department of environmental quality engineering, the chief executive officer of the host community, if any, any regional planning agency of which the host community, if any, is a member or in which it otherwise participates, the chief executive officer of all abutting communities, if any, and those persons owning or otherwise exercising control over the real property of any site on which the developer proposes to construct, maintain and operate a hazardous waste facility. A separate notice of intent shall be submitted by the developer for each site proposed by the developer for a facility.

The notice of intent shall include:

(1) a description of the type of hazardous wastes the developer proposes to accept for treatment, processing and disposal at the facility;

(2) a description of the technology and procedures the developer proposes to use to treat, process, and dispose of hazardous waste at the facility;

(3) the site, if any, proposed by the developer as a possible location for the construction and operation of the facility;

(4) a description of the present suitability of the site, and of what additional measures, if any, will be required to make the site suitable for the purpose of constructing, maintaining and operating a facility; or in the event such developer is not proposing a site, the requirements and characteristics of a site that would be appropriate for said facility;

(5) preliminary specifications and architectural drawings of the proposed facility;

(6) a copy of the most recently published statewide environmental impact report issued by the department pursuant to section three; and

(7) any other information required to be submitted in accordance with the rules, regulations, procedures and standards of the department or the council.

In submitting a notice of intent, the developer shall attach thereto such documents prepared or approved by the department which describe and explain the hazardous waste facility siting process as established by the provisions of this chapter, which describe and explain the types of planning and other technical assistance available to the host community and to abutting communities from any source, including, but not limited to, state agencies and the developer, and which describe and explain the types of special benefits that may be included in a negotiated facility siting agreement between a local assessment committee in a host community and a developer including, but not limited to, direct compensation payments to the host community, safety operation and monitoring programs, and future monetary incentives to the host community.

The council shall, within fifteen days of the receipt of a completed notice of intent, and upon consultation with the department of environmental quality engineering, review the proposed project to determine if the proposed project is feasible and deserving of state assistance. The department shall publish and disseminate any determination by the council that a proposed project is feasible and deserving of state assistance by notifying all those who previously received the notice of intent pursuant to this section and the chief executive officer of every city and town in the commonwealth. The department shall include its schedule of briefing sessions pursuant to section eight of this chapter in such notification.

Section 8. The department shall conduct briefing sessions for the purposes of insuring the participation of interested persons in the hazardous waste facility siting process pursuant to this chapter and of informing the public about every proposal which the hazardous waste facility siting council has determined to be feasible and deserving of state assistance. The department shall establish whatever schedule of briefing sessions it deems appropriate to achieve these purposes, holding said sessions in such a manner, place, and at such times as in its sole discretion are best calculated to achieve these purposes. The department shall conduct its first briefing session on a proposal within thirty days after it has completed its dissemination of the determination of the council that the proposed project is feasible and deserving of state support pursuant to section seven of this chapter. The department shall give a reasonable opportunity to persons attending the hearing to discuss, comment upon, or criticize all or any part of the proposal and may ask questions of the developer, the department, or any other agencies represented at said briefing session.

Section 9. If the developer suggests a site in his notice of intent and indicates therein his unwillingness to accept suggestions for alternative sites, the council shall proceed to review

the proposal pursuant to section ten. If the developer indicates in his notice of intent a willingness to accept suggestions for a site, whether as alternative sites to a site already proposed or as initially suggested sites if none has been proposed in his notice of intent, the department shall for a period of fifty days after the conclusion of the briefing sessions pursuant to section eight accept suggestions for sites proposed and submitted by any of the following persons:

(1) private individuals who own, or have a substantial financial interest in, the suggested site;

(2) the chief executive officer or the local assessment committee of a host community suggesting a site within said host community which is publicly owned and probably available for lease or sale to the developer, or which is privately owned, where reasonable grounds exist for the belief that said site might be readily available for use as a site for a facility;

(3) the developer suggesting a site either as an alternative to, or in addition to the site originally proposed in his notice of intent or as an initial suggestion for a site if none was proposed in his notice of intent;

(4) any agency of the commonwealth suggesting a site which is publicly owned and probably available for lease or sale to the developer, or which is privately owned, where reasonable grounds exist for the belief that said site might be readily available for use as a site for a facility; and

(5) the chief executive officer of any city or town in the commonwealth suggesting a site in his city or town which is publicly owned and probably available for lease or sale to the developer, or which is privately owned, where reasonable grounds exist for the belief that said site might be readily available for use as a site for a facility.

Any person or agency so suggesting a site shall prior to such suggestions notify in writing the owner or owners of record of the site and the chief executive officer of the host community.

Any suggestion of a site may be withdrawn by the person or agency making said suggestion within the fifty day period permitted for the making of suggestions. If upon the conclusion of the fifty day period, no sites have been suggested by any person or agency, the council may extend the period within which suggestions may be made for an additional thirty days and the department may suggest a reasonable number of sites in the host community which are publicly owned and probably available for lease or sale to the developer or which are privately owned, where reasonable grounds exist for the belief that said sites might be readily available for use as sites for a facility.

If, upon the conclusion of the period or any extension permitted for suggestions, more than three suggested sites have been proposed, the council shall, upon consultation with the

department of environmental quality engineering, reduce the number of suggested sites to three, including the developer's suggested site, if any. The council shall determine, prior to establishing its final list of suggested sites, whether or not the owner of record desires to withdraw his real property from consideration as a suggested site. If the owner of record so desires, the suggested site shall be withdrawn and the council shall endeavor to replace said suggested site on its final list.

Within ten days after the end of the suggestion period, the department shall notify the chief executive officers of each host community and all abutting communities, the members of the local assessment committee of each host community, the owner or owners of record of suggested sites, and newspapers, radio stations, and television stations serving each host community of the final list of suggested sites by distributing said list to them.

Section 10. The developer shall prepare a preliminary project impact report to be submitted to the secretary and to the council for each site under consideration. Said preliminary project impact report shall consist of two parts: (1) the environmental impact report required by sections sixty-two to sixty-two H, inclusive of chapter thirty and (2) a social economic appendix as prescribed by the rules, regulations, procedures and standards adopted by the council. The secretary shall continue to administer and manage the environmental impact report as part of the preliminary project impact report pursuant to the procedures and time requirements of sections sixty-two to sixty-two H, inclusive, of chapter thirty in order to determine whether or not said environmental impact report complies with the provisions of said sections. Insofar as possible, the council shall administer and manage the social and economic appendix as part of the preliminary project impact report in accordance with the procedures and time requirements established for an environmental impact report pursuant to sections sixty-two to sixty-two H, inclusive, of chapter thirty in order to determine whether or not the social and economic appendix is in its judgment in compliance with the rules, regulations, procedures and standards which it has prescribed for said appendix. The secretary and the council shall cooperate in the administration and management of the preliminary project impact report, shall from time to time during the review process exchange reports, comments and information developed and received, and shall to the maximum feasible extent endeavor to have both parts of the preliminary project impact report proceed through the review process at the same time pursuant to the procedures and timing requirements of section sixty-two to sixty-two H, inclusive, of chapter thirty.

The developer shall file a project notification form with the secretary and the council. The council shall issue public notice of the availability of such report. The project notification form

shall consist of an environmental notification form pursuant to section sixty-two A of chapter thirty and such other social and economic information as the council shall prescribe by its rules, regulations, procedures and standards.

The council shall limit the scope of the social and economic appendix as part of the preliminary project impact report. Notwithstanding the provisions of section sixty-two A of chapter thirty, the council may establish a specific procedure for the evaluation and review of the social and economic impacts of the proposed project, whether or not the secretary has designated said project as a major and complicated project. The secretary shall have the authority to determine in his sole discretion that a proposal to construct, maintain and operate a hazardous waste facility should be designated as a major and complicated project requiring the establishment of a specific procedure for evaluation and review of the environmental impact of said project pursuant to section sixty-two A of chapter thirty.

Upon the establishment of a siting agreement pursuant to sections twelve and thirteen, the developer shall prepare a final project impact report which shall be in accordance with the provisions of the siting agreement and which shall contain information, comments, and facility redesign data resulting from the negotiations preceding the establishment of said agreement. The council shall declare that an established siting agreement is operative and is to be given full force and effect only when a final project impact report has been found by the secretary and the council to be in compliance with all applicable provisions of law.

Section 11. The local assessment committee of a host community and the chief executive officers of abutting communities may request technical assistance grants from the council. If a local assessment committee of a host community or the chief executive officer of an abutting community requests a technical assistance grant on or before the date that the secretary has defined the scope of the environmental impact report part of the preliminary project impact report, the council shall act on said request within thirty days after the secretary has so defined the scope and shall award, subject to funds appropriated therefor, such amounts as in its discretion shall be appropriate, upon consultation with the executive office of communities and development. All technical assistance grants awarded to the chief executive officers of abutting communities and to the local assessment committee of a host community which has requested such a grant after the secretary has defined the scope of the environmental impact report part of the preliminary project impact report shall be awarded in such amounts and form, subject to funds appropriated therefor, as the council in its discretion shall deem to be appropriate.

The local assessment committee of a host community and the chief executive officers of abutting communities may expend these funds, and such other funds as a city or town may appropriate therefor, to pay the costs incurred by said communities for participation in the hazardous waste facility site process established by this chapter.

Section 12. No facility shall be constructed, maintained or operated unless a siting agreement shall have been established by the developer and the local assessment committee of a host community pursuant to sections twelve and thirteen and said agreement has been declared to be operative and in full force and effect by the council. After said declaration by the council, a siting agreement shall be a nonassignable contract binding upon the developer and the host community, and enforceable against the parties in any court of competent jurisdiction.

The siting agreement shall specify the terms, conditions and provisions under which the facility shall be constructed, maintained and operated if the developer chooses to construct, maintain and operate a facility on said site, including, but not limited to the following terms, conditions and provisions:

(1) facility construction and maintenance procedures;

(2) operating procedures and practices, the design of the facility and its associated activities;

(3) monitoring procedures, practices and standards necessary to assure and continue to demonstrate that the facility will be operated safely;

(4) the services to be provided the developer by the host community;

(5) the compensation, services, and special benefits that will be provided to the host community by the developer, and the timing and conditions of their provision;

(6) the services and benefits to be provided to the host community by agencies of state government, and the timing and condition of their provision;

(7) any provisions for tax prepayments or accelerated payments, or for payments in lieu of taxes;

(8) provisions for renegotiation of any of the term, conditions of provisions of the siting agreement, or of the entire agreement;

(9) provisions for resolving any disagreements in the construction and interpretation of the siting agreement that may arise between the parties; and

(10) appendices of the compensation to be paid abutting communities established pursuant to the provisions of section fourteen.

The siting agreement may also include, but shall not be limited to, the following:

(1) provisions for direct monetary payments from the developer to the host community in addition to payments for taxes and special services and compensation for demonstrable adverse impacts;

(2) provisions to assure the health, safety, comfort, convenience, and social and economic security of the host community and its citizens;

(3) provisions to assure the continuing economic viability of the project; and

(4) provisions to assure the protection of the environment and natural resources.

Any financial benefits received by host communities or abutting communities, other than taxes on real or personal property, shall not be deducted from any amounts of state assistance, reimbursements or distributions provided by general and special laws or under the local aid fund established by section two D of chapter twenty-nine.

Section 13. A siting agreement may be established by the signature of the chief executive officer of a host community who has been directed by a majority vote of the local assessment committee of said host community to sign and the signature of any officer of the developer expressly authorized by the developer to sign said agreement, or by arbitration pursuant to section fifteen.

All state agencies shall endeavor to assist in facilitating negotiations between local assessment committees, the chief executive officer of abutting communities, and the developer. The council shall be available during such negotiations to assist in the exchange of information and to encourage and facilitate access to opinions, reports, documents and other materials relevant to the siting agreement including, but not limited to, all public records produced as part of the hazardous waste facility siting process established by this chapter.

Section 14. The chief executive officer of any abutting community may, within sixty days of the determination by the secretary and the council that a preliminary project impact report is in their judgment in compliance with applicable law, petition the council for the establishment of compensation to be paid by the developer to the abutting community for the demonstrably adverse impacts to be imposed upon said community by the construction, maintenance and operation of a hazardous waste facility in a host community. As a condition precedent to the filing of said petition, the chief executive officer shall agree in writing on a form prescribed by the council, and he is herewith given the authority to bind his city or town to such an agreement, that his city or town shall either accept the compensation to be determined by the council or the compensation established by arbitration pursuant to the procedures established in this section

in full settlement of any claims for demonstrably adverse impacts imposed by the current proposed project. The chief executive officer shall also agree, as an essential part of said condition precedent, that he will sign an agreement with the developer accepting the amount established by the council or by arbitration pursuant to this section, which agreement shall be a nonassignable contract binding on the abutting community and the developer, and enforceable as such in any court of competent jurisdiction.

The council, after due notice to the developer, the local assessment committee, and the chief executive officer of the abutting community which has petitioned shall conduct a public hearing to determine and establish the compensation to be given to the abutting community by the developer. If the chief executive officer of the abutting community or the developer is aggrieved by the amount of compensation established by the council, either party may appeal to the council to establish an arbitration panel, which shall be comprised of three arbitrators, to resolve the dispute. The council, upon such appeal, shall establish said arbitration panel by appointing one arbitrator selected by the chief executive officer of the abutting community, one arbitrator selected by the developer, and the third an impartial arbitrator, who shall be selected by the chief executive officer of the abutting community and by the developer and who shall act as chairman of the panel or, if the chief executive officer of the abutting community and the developer agree, a single impartial arbitrator acceptable to the chief executive officer of the abutting community and the developer.

If an arbitration panel or single arbitrator has not been selected within thirty days after an appeal for arbitration has been filed, the council shall appoint the arbitrator or arbitrators necessary to complete the three person panel, which shall act with the same force and effect as if the panel had been selected without the intervention of the council.

The arbitration panel by a majority vote or single arbitrator shall within forty-five days after establishment determine the amount of compensation to be paid by the developer to the abutting community. The council, upon request of the arbitration panel or the single arbitrator, may extend the time for the conduct of arbitration.

The arbitrators or arbitrator, subject to appropriation, shall receive from the council such compensation for each day or part thereof for his services as a majority of the council shall establish. He shall also receive, subject to appropriation, all reasonable expenses actually and necessarily incurred in the performance of his official duties.

The developer shall agree in writing on a form prescribed by the council that, as a condition precedent to the establishment of

a siting agreement, he shall accept the amount established by the council or by arbitration pursuant to this section as the amount of compensation he shall pay to the abutting community. The developer shall also agree, as an essential part of said condition precedent, that he will expressly authorize one of his officers to sign an agreement with the chief executive officer of the abutting community, which agreement shall be a nonassignable contract binding on the developer and the abutting community, and enforceable as such in any court of competent jurisdiction.

The provisions of chapter two hundred and fifty-one shall govern the conduct of arbitration proceedings pursuant to this section, including the provisions of said chapter for judicial review of an arbitration award.

Section 15. If sixty days after the secretary and the council determine that the preliminary project impact report is in compliance with applicable law, the department, the developer or the local assessment committee of the host community informs the council that an impasse in the negotiations of a siting agreement exists, the council, upon investigation, may determine that such an impasse exists and may proceed to frame the issues in dispute between the local assessment committee and the developer for submission to final and binding arbitration. Upon request of both the developer and the host community, the council may postpone the making of its determination that an impasse exists and that the issues in dispute should be resolved by final and binding arbitration for such a reasonable period of time as the council in its sole discretion shall determine to be appropriate. Upon the making of the determination that an impasse in the negotiation of a siting agreement exists, the council shall establish either an arbitration panel which shall be comprised of three arbitrators, one selected by the developer, one selected by the local assessment committee of the host community, and a third, an impartial arbitrator who shall act as chairman of the panel, who shall be selected by the developer and the local assessment committee of the host community, or, if the developer and the local assessment committee of the host community can agree, a single impartial arbitrator acceptable to the developer and local assessment committee of the host community.

If an arbitration panel or single impartial arbitrator has not been selected within thirty days after the council's determination that an impasse exists, the council shall appoint the arbitrator or arbitrators necessary to complete the three-person panel, which shall act with the same force and effect as if the panel had been selected without intervention of the council.

An arbitrator shall receive from the council such compensation for each day or part thereof for his services as a majority of the council shall establish. He shall also receive reimbursement for

all reasonable expenses actually and necessarily incurred in the performance of his official duties.

The arbitration panel or the single arbitrator shall within forty-five days after establishment resolve the issues in dispute between the local assessment committee and the developer. The council, upon request of the arbitration panel or single arbitrator, may extend the time permitted for the conduct of arbitration.

In the event that the parties mutually resolve each of the issues in dispute and agree to be bound, they may at any time prior to the final decisions of the panel or single arbitrator request that the arbitration proceedings be terminated, the panel acting through its chairman, or the single arbitrator, shall terminate the proceedings.

The provisions of chapter two hundred and fifty-one shall govern the conduct of arbitration proceedings pursuant to this section, including the provisions of said chapter for judicial review of an arbitration decision.

Section 16. No license or permit granted by a city or town shall be required for a hazardous waste facility which was not required on or before the effective date of this chapter by said city or town. All permits and licenses required for a hazardous waste facility in a city or town shall be granted or denied within sixty days after application for said permits and licenses by the developer, or twenty-one days after the establishment of a siting agreement pursuant to sections twelve and thirteen, whichever is the later.

Section 17. If all permits and licenses required by law have been issued to the developer and a siting agreement has been established pursuant to sections twelve and thirteen, the developer may petition the department to exercise its eminent domain authority pursuant to the provisions of chapter seventy-nine as authorized by section nineteen of chapter sixteen. Upon a showing by the developer, after due notice and a hearing thereon, that he has been unsuccessful in a good faith attempt to acquire all or a portion of the site by purchase or lease, the department shall exercise its eminent domain authority to make said acquisition, subject to approval by a majority vote of the city council, board of aldermen, or board of selectmen pursuant to the provisions of section nineteen of chapter sixteen. The department shall lease any land acquired under this section for a hazardous waste facility for the treatment, processing or disposal of hazardous waste to the developer for the purpose of construction, maintaining, and operating a privately owned hazardous waste facility. Any land acquired under this section may be disposed of by the department upon termination of a hazardous waste facility or completion of use of a site, with the concurrence of the department of environmental quality engineering, in

the best interest of the commonwealth and for a use compatible with local zoning by-laws or ordinances; provided, however, that in no event shall such land be so disposed of unless said department, with the concurrence of the department of environmental quality engineering, first offers, in writing, to convey it to the city or town wherein such land lies for an amount of money not less than the fair market value of the land as determined by an independent appraisal which the department has caused to be made, and such offer is not accepted within two months after being made or is refused by the chief executive officer of the city or town wherein such land lies.

Section 18. This chapter shall not apply to any hazardous waste facility exempt from the licensing requirements of chapter twenty-one C which was lawfully organized and in existence on May first, nineteen hundred and eighty, or to any hazardous waste facility which was licensed as such by any division of the department of environmental quality engineering as of May first, nineteen hundred and eighty. If any facility has its license revoked and reapplies for a license after May first, nineteen hundred and eighty, the provisions of this chapter shall apply to said reapplication; provided, however, that the provisions of this chapter shall not apply to any facility, or the operation of any facility under receivership by a federal or state agency or by a judicially appointed and supervised receiver of any court of competent jurisdiction where the license of the facility has been suspended or revoked and said receivership has been imposed.

Chapter twenty-one D shall not apply to any generator who stores, treats, processes or disposes of hazardous waste produced exclusively on-site; provided, however, that chapter twenty-one D shall apply to any such generator who disposes of hazardous waste into or on the land. For purposes of this section, "on-site" shall be defined to mean the same or geographically contiguous property which may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a crossroads intersection, and access is by crossing as opposed to going along the right-of-way; as well as non-contiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access.

Section 19. Notwithstanding the first paragraph of section eighteen, chapter twenty-one D shall apply to the increase of capacity to store, treat, or dispose of any particular type of hazardous waste, unless an existing siting agreement established pursuant to the requirements of chapter twenty-one D provides for the conditions under which such increase of capacity shall be permitted.

SECTION 9. Chapter 21C of the General Laws, as inserted by section 2 of chapter 704 of the acts of 1979, is hereby amended by adding after section 13 the following section:-

Section 14. The following property shall be subject to seizure by members of the state police, natural resources officers, and local police and to forfeiture to the commonwealth:

(1) All conveyances, including motor vehicles, trailers, vessels, or other containers, used or intended for use to transport hazardous wastes in violation of this chapter or of any regulation, order, license, or approval issued or adopted under this chapter;

(2) All books, records, or other materials which are or contain any evidence of a violation of this chapter or of any regulation, order, license, or approval issued or adopted under this chapter; and

(3) All hazardous wastes collected, transported, stored, used, treated, disposed of, or otherwise handled in violation of this chapter or of any regulation, order, license, or approval issued or adopted under this chapter.

Within fourteen days of the seizure of any property for violation of this chapter or of any regulation, order, license, or approval issued or adopted under this chapter, the attorney general or a district attorney shall file a libel with the superior court. The libel shall state briefly the grounds for the seizure and pray for the forfeiture of the property.

The superior court for the county in which the property was seized or for Suffolk county shall have jurisdiction and venue over the forfeiture proceeding.

Upon the filing of a libel with the superior court, the clerk shall issue an order of notice requiring the commonwealth to send a copy of the libel by certified mail to the owner of the property and to any other persons appearing to have an interest in the property. If no owner or interested person can be determined, the commonwealth shall cause notice of the libel to be published at least twice in a newspaper published in the county in which the property was seized.

The superior court shall promptly, but not less than two weeks after the issuance of the order of notice by the clerk of the second publication in the newspaper, hold a hearing on the libel. The libel shall be conducted as a civil in rem action without jury, in which the commonwealth shall have the burden of proving all material facts by a preponderance of credible evidence. At the hearing of the libel, the superior court shall hear evidence, make findings of fact and conclusions of law, and shall issue a final order. The court shall not issue an order impounding a vehicle without making a finding that the owner of such vehicle knew, or should have known, that it was used for illegal transport of hazardous waste.

If the commonwealth maintains its libel, the superior court shall declare the property forfeit to the commonwealth and may provide for the disposition of the property by the commonwealth in any manner not prohibited by law, including:

(1) Use by a law enforcement or other public agency;

(2) Sale at a public auction. The proceeds from the sale of the property shall be used to pay for reasonable expenses incurred in the seizure, storage and maintenance, and proceedings for the forfeiture of the property. Any balance shall be forwarded to the department for use in the enforcement of this chapter; and

(3) Disposal of hazardous wastes seized pursuant to this section.

Any officer, department or agency having custody of any property seized or forfeited pursuant to this section shall maintain complete records describing all such property in detail, showing from whom the property was received and to whom it was delivered, and indicating the period during which it was in custody. The department shall maintain complete records describing the types and quantities of hazardous wastes disposed of pursuant to this section and the dates and methods of their disposal.

SECTION 10. Section 4 of chapter 704 of the acts of 1979 is hereby amended by striking out, in lines 39 and 40, the words "nineteen hundred and eighty" and inserting in place thereof the words:- nineteen hundred and eighty-one.

SECTION 11. The special commission on hazardous waste created by section four of chapter seven hundred and four of the acts of nineteen hundred and seventy-nine is hereby authorized to study and make recommendations to the general court relative to the establishment of a fee schedule for generators of hazardous waste.

SECTION 12. 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 July 15, 1980.

Chap. 509. AN ACT TO IMPROVE THE CLINTON WASTEWATER TREATMENT PLANT.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to improve the Clinton wastewater treatment plant in compliance with federal and state requirements including designs, plans, specifications, construction, repair and rehabilitation of the wastewater treatment plant, disposal facilities and related works.

SECTION 2. In the design and construction of said works, the commission shall provide for the sewage treatment needs of

the town of Clinton and the Lancaster Sewer District, and shall take into consideration the sewage treatment needs of the towns of Lancaster, Sterling, Bolton and Berlin in consultation with the town of Clinton and the Lancaster Sewer District. Nothing in this section shall be construed to affect or revoke prior acts passed by the general court affecting the rights between the town of Clinton and the commission.

SECTION 3. The Lancaster Sewer District and any city, town, or sewer district, exclusive of the town of Clinton, served by the treatment plant shall pay annually their proportionate share of the principal and interest of the bonded debt for construction authorized by this act and not covered by federal or state grant. Said shares shall be based on the ultimate design capacity of the plant provided for the city, town or sewer district served by the treatment plant.

SECTION 4. The commission shall establish a program for payment by the industrial users in the cities, towns and sewer districts served by the Clinton wastewater treatment plant of that portion of federal construction grants that is allocable to the treatment of industrial wastes.

Each industrial user receiving treatment of its waste at the Clinton wastewater treatment plant shall be required annually to obtain from the commission a wastewater discharge permit. A permit issued by the commission to an industrial user shall include, but not be limited to, the user's share of the capital cost allocated to the treatment of its waste, a schedule for payment of such capital costs and, if required, a program for the pretreatment of its waste.

Each industrial user subject to the industrial cost recoveries shall remit to the state treasurer, not less than annually, an industrial cost recovery payment in the form of a check made payable to the commonwealth. The state treasurer shall deposit such payments in a special fund to be known as the Metropolitan District Commission - Clinton Wastewater Management Fund. Such fund shall be invested and employed and payment shall be made from it from time to time as may be required by state and federal law.

In accordance with existing legislation, the commission shall annually pay by a separate budget appropriation to the town of Clinton an amount equal to the sum of the annual industrial cost recovery payments made by the industrial users in the town of Clinton.

Exemptions from industrial cost recovery payments shall be granted in accordance with applicable federal law.

SECTION 5. The Lancaster Sewer District and any other city, town or sewer district, exclusive of the town of Clinton, served by the Clinton wastewater treatment plant shall annually pay its proportionate share of the operating, maintenance, and replace-

ment costs based on their wastewater flows and wastewater characteristics as determined by metered flows, water consumption, population and population equivalents, or other methods in compliance with federal and state requirements. Said communities shall establish, adopt and implement, within the time limits provided in Federal regulations, user charge systems acceptable to the Environmental Protection Agency.

SECTION 6. The town of Clinton shall annually collect its proportionate share of the operating, maintenance, and replacement cost of the Clinton wastewater treatment plant, based upon the commission's budgeted costs of the operating, maintenance and replacement of said facility prepared and furnished by the commission and shall remit said collections to the escrow agent as established below. For the purposes of this act the term budgeted costs shall include any operating, maintenance and replacement expenditures in the previous fiscal year which the commission has incurred above the original commission operating budget.

The town of Clinton and the commission shall enter into written agreement providing for a separate escrow account for each fiscal year at a commercial banking institution within the commonwealth for deposit of said town's annually collected proportionate share of operating and maintenance and replacement costs. Any charges for the escrow account shall be assumed by the commission.

No later than three months after the close of the fiscal year, said town shall submit to the escrow agent and the commission a certified summary statement indicating the total amounts collected pursuant to user charges and those amounts remaining uncollected. The commission shall furnish to the escrow agent and said town a certified statement of the actual operating, maintenance and replacement costs. Upon receipt of such statements, the escrow agent shall distribute the funds as follows:

(a) If said town has collected less than the amount of the actual operating, maintenance and replacement costs, the escrow agent shall deduct from the amount collected by said town the difference between the collected amount and the actual operating, maintenance and replacement costs, and shall retain said amount as hereinafter provided;

(b) If said town has collected an amount equal to or greater than the actual operating, maintenance and replacement costs, the escrow agent shall disburse the amount collected by the town as hereinafter provided;

(c) The amount deducted as referred to in subparagraph (a) shall be retained in that fiscal year's escrow account. Any part of said retainage may be released, however, in accordance with the provisions of subparagraph (d) upon certification by said town that it has collected additional user charges. The escrow

agent shall, at all times, retain an amount equal to the uncollected user charges of said town. Any funds retained by the escrow agent for a period exceeding one year beyond the close of the fiscal year for which they were due shall be remitted to said town upon submission of documentation to the commission that said town has initiated legal action to collect uncollected user charges; and

(d) The balance of the collected amount referred to in subparagraph (a), or the total amount referred to in subparagraph (b), whichever the case may be, shall be disbursed to the town for use in defraying costs and expenses of the town's sewer system, of said town after written notice by the commission.

SECTION 7. The commission shall require the town of Clinton, the Lancaster Sewer District and any other city, town or sewer district served by the Clinton wastewater treatment plant, or any sewer tributary thereto, to have in effect a sewer use by-law or ordinance approved by the commission together with procedures for monitoring and enforcing compliance with such by-law or ordinance.

SECTION 8. In the event that federal funds or federal assistance is made available to the commission for projects authorized by this act, or state funds or state assistance is made available for such projects, such funds shall be in addition to the sums herein authorized; provided, that such funds, when received, shall be deposited in the state treasury and be available to the Metropolitan Water District for expenditure subject to the provisions of law regulating the disbursement of federal funds and the approval thereof.

SECTION 9. Not later than September first of each year the commission shall submit to each city, town or sewer district, the principal and interest on bonded debt authorized by this act, and the operating, maintenance and replacement requirements for the preceding fiscal year; together with each city's, town's, or sewer district's proportionate share of these costs.

Written comment or appeal, if any, of the above mentioned proportionate shares must be received by the commission no later than October first of the same year. Payment to the commission shall be made no later than November fifteen of the same year. In accordance with provisions of section three of this act, the town of Clinton will not be required to make principal and interest payments, but shall collect its proportionate share of operating, maintenance and replacement costs in accordance with section six.

SECTION 10. 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 nineteen million dollars. Such bonds shall be designated on their face, Metropolitan District Commission, Clinton Wastewater Treatment Plant, Reconstruction Loan, Act of 1980, and shall be on the serial payment plan for such maximum term of years, not exceeding thirty years, as may be recommended by the governor to the general court, in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as, in the opinion of the state treasurer, it is practicable to make them. Such bonds shall bear interest semiannually at such rates as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June the thirtieth, two thousand and twelve. All interest payments and payments on account of principal of such bonds shall be assessed and paid from the Metropolitan Water District Fund as provided in chapter ninety-two of the General Laws.

SECTION 11. This act shall take effect upon its passage.

Approved July 15, 1980.

Chap. 510. AN ACT AUTHORIZING REIMBURSEMENT BY THE COMMONWEALTH TO CITIES, TOWNS AND DISTRICTS FOR THE ANNUAL COSTS OF CHEMICALS FOR THE OPERATION AND MAINTENANCE OF WATER POLLUTION CONTROL FACILITIES.

Be it enacted, etc., as follows:

Section 37 of chapter 21 of the General Laws is hereby amended by adding the following two paragraphs:-

The metropolitan district commission, or any city, town or district which has constructed a water pollution abatement project which qualifies as an approved project under the provisions of section thirty A shall be eligible, subject to appropriation, for fifty per cent reimbursement of the annual costs involved in the purchase of chemicals utilized for chlorination, sludge dewatering and advanced waste treatment for phosphorous removal and nitrification during the operation and maintenance of a said water pollution abatement facility.

The cost of chemicals used in a preceding fiscal year shall be

ascertained by each city, town or district and submitted to the division of water pollution control for verification before the end of the subsequent calendar year. Reimbursements under this program shall be paid from amounts appropriated therefor from the Local Aid Fund under the provisions of section eighteen A of chapter fifty-eight.

Approved July 15, 1980.

Chap. 511. AN ACT RELATIVE TO THE DIVISION OF WATER POLLUTION CONTROL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 21 of the General Laws is hereby further amended by striking out section 26, as most recently amended by section 71 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 26. There shall be in the department of environmental quality engineering, a division of water pollution control, hereinafter in this section and in sections twenty-seven to fifty-three, inclusive, called the division. The division shall be headed by a director who shall be appointed and may be removed by the commissioner, and shall not be subject to section nine A of chapter thirty or to chapter thirty-one. The director shall be responsible for carrying out the work of the division under the suprvision, direction and control of the commissioner. The director shall be qualified by training and experience to carry out the duties of the division. No person may serve as director who received, or who has during the preceding two years received, ten per cent or more of his income directly or indirectly from persons who are required to obtain discharge permits under section forty-three, and the attorney general upon request may issue guidelines and such opinions as may be necessary to implement this provision.

The commissioner may appoint and remove a deputy director for the division who shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty, and such other professionals, technical and clerical assistants and consultants as may be necessary.

The water resources commission shall advise the commissioner on administration and enforcement of this chapter.

Said division of water pollution control shall be subject to the supervision, control and direction of the commissioner.

SECTION 2. Section 26A of said chapter 21 is hereby amended by inserting after the definition of "Collection system" the following definition:- "Commissioner", the commissioner of the

department of environmental quality engineering, or his authorized designee.

SECTION 3. Upon the effective date of this act, all employees of the division of water pollution control shall become employees of the department of environmental quality engineering without impairment of civil service status, seniority, retirement or other rights, and without interruption of service under the provisions of chapter thirty-one of the General Laws, and without reduction in compensation or salary grade notwithstanding any change in title or duties resulting from such transfer, and all such employees of the division shall have unrestricted right to take civil service examinations for and from the positions in which they are incumbent.

Approved July 15, 1980.
EMERGENCY LETTER - July 23, 1980 @ 11:20 A.M.

Chap. 512. AN ACT RELATIVE TO THE ESTABLISHMENT OF URBAN HERITAGE STATE PARKS.

Be it enacted, etc., as follows:

SECTION 1. Item 2120-9801 in section 2 of chapter 798 of the acts of 1979 is hereby amended by striking out the wording and inserting in place thereof the following wording:-

For acquisition and development and associated costs in connection with the establishment of Urban Heritage State Parks in the cities of North Adams, Gardner, Holyoke, Lawrence, Lynn, Springfield and in the Dorchester and Allston-Brighton districts of the city of Boston, including the costs of furnishings and equipment, and including equipment of historical significance; provided, that this item shall not be subject to the provisions of section forty of chapter seven of the General Laws; and provided, further, that any federal funds available for the purposes of this item may be expended without further appropriation; and for the purpose of entering into agreements with the municipalities named herein or with redevelopment authorities organized pursuant to section four of chapter one hundred and twenty-one B of the General Laws or economic development and industrial corporations organized pursuant to section three of chapter one hundred and twenty-one C of the General Laws in the said municipalities or in the case of the city of Lynn, the economic development and industrial corporation of Lynn established pursuant to chapter seven hundred and seventy-eight of the acts of nineteen hundred and seventy-seven, for the purpose of acquisition, development and associated costs in connection with the establishment of said parks.

SECTION 2. Any municipality set forth in section one is hereby authorized to receive and accept funds from the department of environmental management for the purpose of acquisition, development and associated costs in connection with the establishment of recreation or conservation facilities within an Urban Heritage State Park, subject to an agreement between the department and such municipality relative to the use of such funds. All such transferred funds shall be used by such municipality only in accordance with such agreement. Any redevelopment authority and economic development and industrial corporation set forth in section one is hereby authorized to receive and accept funds from the department of environmental management for the purpose of acquisition, development and associated costs in connection with the establishment of such Urban Heritage State Park, subject to an agreement among said department, the municipality and such public entity in the municipality, which has been approved by the secretary of communities and development, relative to the use of such funds. All such funds shall be expended by such public entity only in accordance with such agreement and all relevant laws. Any such expenditure shall be made from such funds as may from time to time be appropriated to the department of environmental management by the general court or made available to said department pursuant to any federal funding program for said purpose. Said department, in any agreement provided for in section one, may reserve the right to obtain title to, or lesser interest in, land which is to be used for recreation or conservation purposes acquired by said municipality or such public entity pursuant to such agreement, without further authorization.

Approved July 15, 1980.

Chap. 513. AN ACT PROVIDING RECODIFICATION OF THE STATUTES RELATING TO THE MASSACHUSETTS REHABILITATION COMMISSION.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out sections 74 to 84, inclusive, and inserting in place thereof the following twelve sections:-

Section 74. There shall be a commission for the rehabilitation of handicapped persons to be known as the Massachusetts rehabilitation commission, in this section and in sections seventy-five to eighty-four, inclusive, called the commission. The commission shall cooperate with all federal agencies in the administration of 29 USC 720, relating to the rehabilitation of handicapped per-

sons, and may expend, subject to appropriation, such state, federal or other funds as are available for the rehabilitation, employment, and independent living needs of handicapped persons.

Section 75. (a) The commission shall be under the direction, supervision and control of a commissioner of rehabilitation, in sections seventy-five to eighty-four, inclusive, called the commissioner, who shall be appointed by the governor for a term coterminous with that of the governor. He shall, subject to appropriation, receive a salary of thirty-five thousand dollars and shall devote his full time during business hours to the duties of the office.

(b) The commissioner shall have sole charge, with the advice of the advisory council, of the supervision and administration of the commission.

(c) The commissioner may promulgate, in accordance with the provisions of chapter thirty A of the General Laws, rules and regulations relating to the services provided by the commission.

(d) The commissioner may, subject to appropriation, appoint and remove a deputy commissioner who shall perform such duties as the commissioner shall determine and shall, in case of a vacancy in the office of the commissioner, or during the commissioner's absence or disability, exercise the powers and perform the duties of the commissioner. Said deputy commissioner shall devote full time to the duties of the office.

(e) The commissioner may, subject to appropriation, appoint and remove such assistant commissioners as the commissioner shall from time to time determine, not to exceed three in number, who shall be assigned to areas of responsibility to be specified by the commissioner. Each assistant commissioner shall devote full time to the duties of the office.

(f) The commissioner may, subject to appropriation, appoint and remove such assistants to the commissioner as the commissioner shall from time to time determine, not to exceed two in number, who shall be assigned to areas of responsibility to be specified by the commissioner. Each assistant to the commissioner shall devote full time to the duties of the office.

(g) The commissioner may, subject to appropriation, appoint and remove such deputy assistant commissioners as the commissioner shall from time to time determine, not to exceed seven in number, who shall be assigned to areas of responsibility to be specified by the commissioner. Each deputy assistant commissioner shall devote full time to the duties of the office.

(h) The commissioner may, subject to appropriation, establish regional offices at such locations in the commonwealth as may be deemed necessary to ensure the development and maintenance of

the effective administration of the commission. The regions established by the commissioner shall be consistent with those established by the secretary of human services as provided in section sixteen of chapter six A. The commissioner may, subject to appropriation, appoint and remove regional directors to administer the regional offices. Each regional director shall devote full time to the duties of the office.

(i) The commissioner may, subject to appropriation, establish area offices at such locations in the commonwealth as may be deemed necessary to ensure the effective delivery of services to clients of the commission. The areas established by the commissioner shall be consistent with those established by the secretary of human services as provided in section sixteen of chapter six A.

The commissioner shall, subject to appropriation and the provisions of chapter thirty-one, appoint area directors to manage the area offices and perform such duties as may be assigned by the commissioner.

Each area director shall devote full time to the duties of the office.

(j) The commissioner may appoint and remove directors of disability determination services, not to exceed four in number, to perform such duties as may be assigned by the commissioner. Each director of disability determination services shall devote full time to the duties of the office.

(k) The commissioner may also, subject to appropriation, appoint such other personnel as may be deemed necessary for the efficient management of the commission.

(l) The provisions of section nine A of chapter thirty and the provisions of chapter thirty-one, shall not apply to the office of commissioner, deputy commissioner, assistant to the commissioner, assistant commissioner, deputy assistant commissioner, regional director, or director of disability determination services.

If an employee of the commonwealth or of a political subdivision, as defined in section one of chapter thirty-two, shall be appointed to any such position, he shall upon termination of his service in such office or upon elimination of his position, be restored to the position which he held immediately prior to such appointment. Such restoration shall be made without impairment of his civil service status or tenure under section nine A of chapter thirty and without loss of seniority, retirement or other rights to which uninterrupted service in such position would have entitled him. During the period of such appointment each person so appointed from a classified civil service position, he shall be eligible to take any competitive promotional examination for which he would have otherwise been eligible.

Section 76. There shall be an advisory council to consist of fourteen members to be appointed by the governor. Said advisory council shall advise the commissioner in matters of interest relating to the delivery of rehabilitation services. At least five of the members shall be individuals or immediate family members of individuals with handicaps. The terms of the initial members shall be as follows: three shall be appointed for one year, three shall be appointed for two years, three shall be appointed for three years and five shall be appointed for four years. Upon the expiration of the term of a member, his successor shall be appointed for a term of four years. Said members shall elect a chairman and shall meet at least quarterly. They shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties. If any member is absent from two regularly scheduled quarterly meetings in any one calendar year, the office of such member may be declared vacant by the chairman. Upon notification by the chairman that a vacancy exists, the governor shall appoint another member to fill the unexpired term.

Section 77. The following words and phrases as used in sections seventy-four to eighty-four, inclusive, shall have the following meanings:

"Vocational rehabilitation services", any goods and services necessary to render a handicapped individual employable including, but not limited to the following:

(1) diagnostic and related services, including transportation, necessary to determine eligibility for services and the nature and scope of the services to be provided;

(2) counseling, guidance and referral services;

(3) placement services;

(4) physical and mental restoration services;

(5) vocational and other training services, including personal and vocational adjustment, books, tools and other materials;

(6) maintenance;

(7) transportation;

(8) services to members of the handicapped individual's family when such services are necessary to the adjustment or rehabilitation of the handicapped individual;

(9) interpreter services for the deaf;

(10) reader services, rehabilitation teaching services, and orientation and mobility services for the visually impaired;

(11) telecommunications, sensory and other technological aids and devices;

(12) recruitment and training services to handicapped individuals to provide them with new employment opportunities in the field of rehabilitation, health, welfare, public safety and law enforcement and other appropriate public service employment;

(13) post-employment services necessary to assist handicapped individuals to maintain suitable employment;

(14) occupational licenses, tools, equipment and initial stocks and supplies; and

(15) such other goods and services which can reasonably be expected to benefit a handicapped individual in terms of his employability.

"Rehabilitation facility", a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals; provided, that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services.

"Workshop", a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist.

"Handicapped person", an individual who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment and can reasonably be expected to benefit in terms of employability from vocational rehabilitation services or an individual whose ability to function independently in his family or community may be improved significantly by the provision of independent living rehabilitation services.

"Independent living rehabilitation services", any vocational rehabilitation service and any other service that will enhance the ability of a handicapped individual to live independently and function within his family and community and, if appropriate, secure and maintain appropriate employment.

Section 78. (1) The commission shall, subject to appropriation, directly provide or purchase vocational rehabilitation services or independent living rehabilitation services for any handicapped individual who meets the eligibility criteria prescribed by the commission and who is present in the state at the time of filing his application therefor; provided, however, that those vocational rehabilitation services set forth in clauses (4) to (15), inclusive, of section seventy-seven shall be provided at public cost only to those handicapped individuals who are found by the commission to require financial assistance with respect thereto; and provided, further that the commission for the blind shall provide vocational rehabilitation services to the blind. The

commission shall, prior to providing any of the vocational rehabilitation services set forth in clauses (4) to (15), inclusive, of section seventy-seven consider similar benefits available to the handicapped individuals. If vocational rehabilitation services cannot be provided to all eligible handicapped individuals who apply therefor, the commission shall provide by regulations the order to be followed in selecting those to whom such services will be provided.

(2) The commission shall, subject to appropriation, develop and provide, either directly or through purchase of service, such other rehabilitation services as it determines are necessary and appropriate to enable a handicapped individual to live independently and function within his family and community. The commission shall prescribe eligibility requirements for each such service.

Section 78A. The commission shall, subject to appropriation, administer a program of extended sheltered employment for those handicapped persons over sixteen years of age, who, after individual evaluation, are determined unemployable in the competitive labor market, but who are able to maintain acceptable levels of attendance and productive capacity in extended sheltered employment in a program administered by a private nonprofit organization. The levels of attendance and productive capacity which shall be deemed acceptable shall be established by regulations promulgated by the commission. The commission shall inspect the facilities for extended sheltered employment of such private nonprofit organizations and shall maintain a register of such organizations which it approves as qualified to meet the needs of such handicapped persons and eligible to receive funds. The commission may contract with such organizations for the furnishing of such extended sheltered employment; provided, however, that the rate payable by the commission for such services shall be subject to the approval of the rate setting commission.

Section 79. The commission shall have the following powers and duties:-

(a) it shall continuously study the problems of vocational rehabilitation and may make investigations, demonstrations and reports thereon, and shall establish and maintain contact with such physicians, persons, programs, instrumentalities, organizations or facilities rendering any one or more of the services authorized under the provisions of sections seventy-four to eighty-three, inclusive, and the commissioner shall be satisfied with regard with to qualifications to deliver such services; said qualifications for physicians shall include evidence of certification by an appropriate American medical specialty board and with

respect to persons, programs, instrumentalities, organizations or facilities, said qualifications shall include, but need not necessarily be limited to, a demonstrated ability to deliver one or more of such services;

(b) it may enter into reciprocal agreements with other states to provide for the vocational rehabilitation of residents of said other states;

(c) it may enter into contracts for the purpose of providing or planning for the provision of services to handicapped individuals;

(d) it may establish and operate rehabilitation facilities and workshops and may make grants to public and contracts with private nonprofit organizations for such purposes;

(e) it may supervise the operation of small business enterprises established to be conducted by handicapped persons;

(f) it may conduct other programs for the provision of rehabilitation and other services to handicapped individuals as it determines are necessary to enhance the ability of a handicapped individual to live independently and function within his family and community and, if appropriate, secure and maintain employment;

(g) it shall maintain records of all persons who are determined by the commission to be fit and eligible for vocational rehabilitation and the actions and procedures taken by the commission in regard to the persons so determined;

(h) it shall make an annual report to the general court, a copy of which shall be filed with the clerk of the house of representatives on or before the first Wednesday in December.

Section 80. In carrying out the provisions of sections seventy-four to eighty-four, inclusive, the commission shall cooperate with relevant federal agencies and shall develop a state plan including such methods of administration as are found by said agencies and the commission to be necessary for the proper and efficient operation of the commission, to assure that full financial benefits of all federal laws may be available to the commonwealth and the citizens thereof.

The commission is authorized to enter into an agreement on behalf of the commonwealth with relevant federal agencies to carry out the provisions of the federal social security act relating to the making of determinations of disability 42 USC 1381 to 1383(c), inclusive, of said act, and to appoint such agents or assistants as may be necessary to administer the provisions of such agreements.

Section 81. The commission shall cooperate with the divisions of industrial accidents and employment security in the department of labor and industries, the departments of public welfare,

social services, public health and mental health, and such other departments, divisions or subdivisions of the commonwealth as are charged or concerned with the rehabilitation of handicapped persons. Where practicable, the commission shall enter into agreements, confirmed in writing, setting forth procedures whereby said handicapped persons are located and listed to have their fitness and eligibility for rehabilitation services determined by the commission. The commission shall also enter into agreement with the division of employment security in the department of labor, under which handicapped persons receiving vocational rehabilitation may be referred for preplacement interview or for job placement to the public employment offices established in said division by section nine M of chapter twenty-three; provided, that nothing in said agreement shall prevent reference of said handicapped persons to employment through the commission.

Section 82. The state treasurer shall be supervisor of funds allotted to the commonwealth from appropriations made pursuant to the federal laws set forth in sections seventy-four and eighty. The funds so allotted shall be expended, without specific appropriation, under the order or the approval of the Massachusetts rehabilitation commission.

Section 83. The commission is hereby authorized and directed to accept and use gifts made unconditionally by will or otherwise for carrying out the provisions of sections seventy-four to eighty-four, inclusive. Gifts made under such conditions as in the judgment of the commission are proper and consistent with said provisions may be so accepted and shall be held, invested, reinvested and the principal and interest thereof may be used in accordance with the conditions of the gift and may be expended under the order or the approval of the commission without specific appropriation.

Section 84. All records relating to clients and applicants of the commission and all personal and medical information or records given or made available to the commission, including but not limited to, names and addresses of clients and applicants, shall be confidential and for the exclusive use of the commission in the discharge of its duties. Such records or information shall not be open to the public notwithstanding the provisions of section ten of chapter sixty-six or any other general or special law. The provisions of chapter sixty-six A of the General Laws shall be applicable to all such records or information except that notwithstanding said chapter sixty-six A, upon request, relevant information or records concerning a client or applicant shall be made available to that client or applicant or with his written authority, to his attorney, and in the case of medical or psychological records or information, the knowledge of which may be

harmful to the client or applicant, the commission shall prescribe by regulation that such records or information shall be released to the client or applicant or the parent, guardian or other authorized representative of the client or applicant or that such records or information shall be released to the client or applicant by a duly licensed physician or phsychologist. Notwithstanding any other general or special law to the contrary, the commission may publish information in statistical form without disclosing the identity of the clients or applicants involved.

For the purpose of this section, the term "client" shall mean a handicapped person who is receiving or who is eligible to receive or who is a person who has received any one or more of the services authorized under the provisions of sections seventy-four to eighty-three, inclusive, and the term "applicant" shall mean a person who has applied for or has attempted to apply for any services from the commission.

Approved July 11, 1980.
EMERGENCY LETTER - July 23, 1980 @ 11:20 A.M.

Chap. 514. AN ACT FURTHER REGULATING THE POWERS OF THE BUREAU OF WELFARE AUDITING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate forthwith the powers of the bureau of welfare auditing, therefore 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 30R of chapter 7 of the General Laws, as amended by section 1 of chapter 830 of the acts of 1977, is hereby further amended by striking out, in line 3, the words "welfare auditing" and inserting in place thereof the words:- special investigations.

SECTION 2. Said chapter 7 is hereby further amended by striking out section 30T, as amended by section 3 of chapter 514 of the acts of 1978, and inserting in place thereof the following section:-

Section 30T. The director shall initiate investigations and investigate complaints, including complaints initiated by recipients, which indicate the possibility of either a fraudulent claim for payment under any assistance program administered by the department of public welfare or a receipt of payment by a person not entitled thereto. The director, in conformity with the rules and regulations of the fraudulent claims commission, shall:

(1) Initiate investigations and review procedures in order to discover any fraudulent claim or wrongful receipt under any assistance program administered by the department of public welfare;

(2) Examine the records and accounts of the department of public welfare, division of industrial accidents, state retirement board, division of employment security and veteran's services, and for such purposes the director shall have access to such records and accounts at reasonable times and may require the production of books, documents and vouchers relating to any matter within the scope of such investigation;

(3) Examine upon written request to the commissioner of revenue the tax returns, papers or other documents on file with said commissioner concerning any person where there is reason to believe that such person has committed fraud under any assistance program administered by the department of public welfare and may require the production of such returns, papers and other documents; provided, however, that nothing herein shall be construed to authorize the examination or disclosure, directly or indirectly, of any information, returns or other records received from the federal internal revenue service;

(4) Examine the records and accounts of any vendor claiming or receiving payment for services rendered under any program administered by the department of public welfare insofar as such records and accounts relate to any matter within the scope of such investigation;

(5) Report to the attorney general or a district attorney for such action as he may deem proper any case in which, after investigation, he finds there is probable cause that a fraudulent claim or payment has been made; and

(6) Report in writing to the governor and the general court the nature and extent of his activities for each month of the fiscal year, said report to be made not later than thirty days after the expiration of each month, which report shall be made available to the public;

(7) Examine the records and accounts of any person domiciled or doing business in the commonwealth, and any state, county or municipal department, agency, office, bureau, board, commission or division who employ or had employed an individual who is the subject matter of an investigation insofar as those records and accounts pertain to dates, hours and nature of employment or services rendered and the amounts of salary, wages, or other things of value paid and deductions therefrom;

(8) Examine the records and accounts of any bank, as defined in section one of chapter one hundred and sixty-seven, national bank, federal savings and loan association, benefit

association, insurance company, safe deposit company or loan company authorized to do business in the commonwealth relative to individuals who are the subject matter of an investigation insofar as the records and accounts pertain to deposits, withdrawals, loans, insurance transactions, claims settlements and payments; and

(9) Examine the student records of any school or other institution of higher learning within the commonwealth relative to a student who is the subject matter of an investigation or the child, ward or dependent of the subject matter of an investigation insofar as those records pertain to enrollment, attendance, and family history but excluding academic, medical, and evaluative records.

Approved July 14, 1980.

Chap. 515. AN ACT AUTHORIZING THE TOWN OF GROTON TO CONVEY TO MARION K. PIERCE AND TO ALEXANDER J. BUDA AND PHYLLIS V. BUDA TWO CERTAIN EASEMENTS FOR TRAVEL AND UTILITIES OVER PORTIONS OF THE TOWN COMMON.

Be it enacted, etc., as follows:

SECTION 1. The town of Groton, acting by and through its board of selectmen, is hereby authorized to grant and convey to Marion K. Pierce and Alexander J. Buda and Phyllis V. Buda two easments for purposes of travel and access to their respective lots including the right to lay, maintain, and connect utilities to serve said lots over portions of the Town Common on Hollis Street as set forth as "Rights of Way" on two plans of land entitled "Plan No. S-3753 Plan of Right of Way in Groton, Mass. made for Marion K. Pierce, Dated February 1980" and "Plan No. S-3756 Plan of Right of Way in Groton, Mass. made for Alexander J. Buda and Phyllis V. Buda, dated February 1980" both prepared by Charles A. Perkins Co., Inc. Civil Engineers and Surveyors.

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

Approved July 15, 1980.

Chap. 516. AN ACT FURTHER ESTABLISHING CERTAIN HARBOR LINES IN THE HARBOR OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 313 of the acts of 1867 is hereby

amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. The harbor line begins at a point in said Lynn harbor at the south-easterly corner of the northerly abutment wall of the Eastern Railroad bridge over Saugus river, and runs on a straight line, S 43° 49' 58" E, 964 feet to a point south-westerly 466 feet from monument A; thence south-easterly and easterly on an arc of a circle of 466 feet radius, of which said monument A is the centre, for a distance of 430 feet;

thence on a straight line N 83° 17' 52" E, 812.02 feet to a point;

thence on a straight line S 73° 59' 01" E, 1838.47 feet to a point;

thence on a straight line N 84° 00' 59" E, 925.00 feet to a point;

thence on a straight line N 05° 50' 01" W, 800.00 feet to a point;

thence on a straight line S 84° 00' 59" W, 447.88 feet to a point;

thence on a straight line N 73° 59' 01" W, 706.76 feet to a point;

thence on a straight line N 49° 12' 48" E, 1800.00 feet to a point;

thence on a straight line N 62° 05' 14" E, 224.41 feet to a point;

thence on a straight line N 49° 12' 48" E, 800.00 feet to a point;

thence on a straight line N 36° 09' 11" E, 543.39 feet to a point;

thence on a straight line N 48° 12' 07" E, 800.00 feet to a point, south-easterly 350 feet from monument C;

thence easterly and south-easterly, on an arc of a circle of 1185.00 feet radius, for a distance of 2400.00 feet to a point due west of monument D, and 828.00 feet therefrom;

thence southerly on an arc of a circle of 11,325.00 feet radius, for a distance of 4273.00 feet to a point due west of monument E, and 80 feet therefrom. The above-mentioned monuments, marked, respectively, A,B,C,D,E, are granite posts and have the letters H.L. inscribed thereon.

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

Approved July 15, 1980.

Chap. 517. AN ACT AUTHORIZING PLYMOUTH COUNTY COMMISSIONERS TO BORROW MONEY FOR THE PURPOSES OF PLANNING A PUBLIC SAFETY TRAINING ACADEMY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 507 of the acts of 1979 is hereby amended by striking out sections 3 and 4 and inserting in place thereof the following three sections:-

Section 3. For the purposes aforesaid, the treasurer of said county may, with the approval of the county commissioners, borrow upon the credit of the county such sums as may be necessary, not to exceed seventy thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words Public Safety Training Academy, Act of 1980. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than five years from their dates. The notes shall be signed by the treasurer, and shall be 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 deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Section 4. Upon receipt of notification from any federal agency granting funds authorizing the construction and equipping of a fire and police training facility, the county commissioners of Plymouth county are hereby authorized to prepare final plans and specifications for said fire and police training facility as authorized by chapter five hundred and twenty-nine of the acts of nineteen hundred and seventy-eight.

Section 5. For the purposes of section four, the treasurer of said county may, with the approval of the county commissioners, borrow upon the credit of the county such sums as may be necessary, not to exceed an additional one hundred and thirty thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words Public Safety Training Academy, Act of 1980. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than five years from their dates. The notes shall be signed by the treasurer, and shall be 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 deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved July 15, 1980.

Chap. 518. AN ACT RELATIVE TO RETIREMENT BENEFITS UNDER THE EMPLOYMENT SECURITY LAW.

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

Be it enacted, etc., as follows:

SECTION 1. Subsection (d) of section 29 of chapter 151A, as most recently amended by section 30 of chapter 720 of the acts of 1977, is hereby further amended by adding the following paragraph:

(6) Notwithstanding any of the foregoing provisions of this subsection, the amount of benefits otherwise payable to an individual for any week which begins after March 31, 1980, and which begins in a period with respect to which such individual is receiving governmental or other pension, retirement or retired pay, annuity, or any other similar periodic payment which is based on the previous work of such individual, shall be reduced by an amount equal to the amount of such pension, retirement or retired pay, annuity or other payment, which is reasonably attributable to such week; provided however, that such reduction shall apply only if then required by section 3304 (a) (15) of the Internal Revenue Code of 1954; and provided further, that any amendment of section 3304 (a) (15) of the Internal Revenue Code of 1954 shall become a part of this subsection on the effective date of such amendment; and provided further that, if then allowed by section 3304 (a) (15) of the Internal Code of 1954, such reduction shall apply only if a base period employer contributed to such pension, retirement or retired pay, annuity, or other payment plan, and services of the individual for such employer during the base period affected his eligibility for or the amount of such pension, retirement or retired pay, annuity, or other payment plan; and provided further that, if the individual contributed to such pension retirement or retired pay, annuity, or other payment plan, the amount of benefits otherwise payable to such individual shall be reduced by fifty per cent of the amount of such pension, retirement or retired pay, annuity, or other payment plan, notwithstanding the amount contributed by the individual to said pension, retirement or retired pay, annuity, or other payment plan.

SECTION 2. This act shall take effect with respect to the amount of benefits otherwise payable to an individual for any week which beging after March thirty-first, nineteen hundred and eighty.

Approved July 15, 1980.

Chap. 519. AN ACT AUTHORIZING THE SALE OR LEASE OF PONDVILLE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the Commissioner of the Department of Public Health, hereinafter referred to as the commissioner, in the name of and on behalf of the Commonwealth, is hereby authorized to sell, convey or lease all or any part of the buildings and fixed or moveable equipment of the Pondville hospital, located in the towns of Walpole and Norfolk, and such land as is necessary to operate said hospital or a part thereof but in no event more than forty acres, pursuant to the provisions of this act. The land, buildings and equipment are hereinafter referred to as the assets.

SECTION 2. The commissioner shall provide for an appraisal by three qualified and independent appraisers to be made of the value of the assets of the Pondville hospital. Upon receipt of the appraisals, the commissioner shall give public notice of the sale and shall solicit proposals from any corporation organized pursuant to chapter one hundred and eighty of the General Laws. The commissioner shall negotiate with one or more of such corporations which have submitted proposals and shall consider, the proposals of the prospective purchasers to continue to provide a range of health care services including services for the treatment of cancer patients and to provide for the continued employment of all employees at the Pondville hospital at the time of the execution of the agreement of sale, conveyance or lease. The commissioner may enter into an agreement, which shall be subject to the approvals required by section six.

SECTION 3. As a condition of sale, conveyance or lease, the commissioner shall require; (a) that any prospective purchaser offer to all employees of Pondville hospital comparable positions and benefits as those previously provided by the hospital and shall take no action to terminate any such employee as a result of reorganizational changes; (b) that the Pondville hospital shall not be sold, conveyed or leased prior to July first, nineteen hundred and eighty-one; and (c), that the purchaser shall continue to provide a range of services for cancer patients at least similar in quantity and quality as those presently provided by Pondville hospital.

SECTION 4. The commissioner shall identify any employee of the Pondville hospital, hereinafter referred to as employee, who

is not to receive continued employment under the terms of the agreement approved by him and shall identify employment opportunities within the department of public health. The commissioner shall cause any funded vacancies within said department to be filled first by qualified employees identified under the provisions of this section. The commissioner may also provide for retraining any such employee if he deems it appropriate. The secretary of human services shall also identify employment opportunities within all other departments within his jurisdiction and may, notwithstanding any special or general law to the contrary, transfer or cause to be transferred any such employee to fill a funded vacancy for which he is qualified, within any such department or any other agency of the commonwealth. The secretary of human services may also provide for the retraining of any such employee if he deems it appropriate.

The commissioner of public health and the secretary of human services shall include in the recommendations required by section six a statement of the provisions made for the continued employment of all such employees.

SECTION 5. In the case of any person who is an employee of the Pondville hospital on the date of the execution of the agreement, and who is not offered, on or before the effective date of the agreement, a comparable position either by the purchasing corporation or by another agency of the commonwealth, the commonwealth shall grant such retirement credit or severance pay as shall be determined by the secretary of administration and finance and verified by the house and senate committees on ways and means.

SECTION 6. The commissioner shall submit a written recommendation, setting out the terms and conditions he recommends, together with the agreement, to the commissioner of administration and finance, and to the secretary of human services. Such recommendation and agreement shall be approved by the governor and the general court. Upon such approval, the commissioner may sell or lease any assets, subject to the terms and conditions of said agreement as so approved.

SECTION 7. No agreement made pursuant to the provisions of this act may interfere with or abrogate any pension rights of any employee which are vested at the date of the execution of the agreement, and no agreement may abrogate any provision of any existing collective bargaining agreement.

SECTION 8. No employee of the commonwealth who participates in negotiating the financial terms of the sale, conveyance or lease pursuant to section one, may be employed by the purchasing corporation within one year after the date of the execution of the agreement.

SECTION 9. This act shall take effect upon its passage.

Approved July 15, 1980.

Chap. 520. AN ACT PROVIDING FOR THE TENURE OF SCHOOL PSYCHOLOGISTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 38 O the following section:-

Section 38P. Every school psychologist and supervisor of school psychologists appointed by a school committee and holding certification as a school psychologist from the department of education shall acquire tenure in the school system of the city, town or district in which he is employed, subject to the provisions of sections forty-one, forty-two and forty-three A.

SECTION 2. School psychologists employed by a school committee for the three years immediately preceding the effective date of this act shall be deemed to have acquired tenure.

Approved July 15, 1980.

EMERGENCY LETTER - July 23, 1980 @ 11:20 A.M.

Chap. 521. AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO PROVIDE FOR THE REDEMPTION AND REFUNDING OF BONDS AND NOTES.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 21, as amended by section 22 of chapter 358 of the acts of 1946, and inserting in place thereof the following two sections:-

Section 21. An officer of a city, town or district authorized to issue bonds or notes may provide that the bonds or notes of any issue may be called and redeemed, in whole or in part, prior to their maturity dates, at such price and under such terms and conditions as said officer may determine. No such bonds or notes shall be called and redeemed before their maturity dates unless funds, sufficient to pay the principal thereof, any redemption premium thereon and all interest accrued to the date fixed for redemption, have been appropriated by the city, town or district and are then available; or, unless the city council of the city, the board of selectmen of the town or the prudential committee, if any, otherwise the commissioners of the district, shall have provided for issuance of refunding bonds or notes as provided in section twenty-one A.

Section 21A. The city council of a city, the board of selectmen of a town and the prudential committee, if any, otherwise, the commissioners of a district, may authorize and provide for the issuance of refunding bonds or notes of the city, town or

district for the purpose of paying or refunding all or any designated part of an issue of bonds or notes then outstanding, including the amount of any redemption premium thereon; provided, however, that no such refunding bonds or notes shall be payable over a period longer than the period during which the original bonds or notes so refunded must be paid pursuant to law. Except as otherwise provided in this section, the issuance of such refunding bonds or notes shall be governed by the applicable provisions of this chapter. Refunding bonds or notes issued under this section shall be subject to the same limit of indebtedness, if any, as the bonds or notes refunded by them; provided, however, that upon the issuance of such refunding bonds or notes, the bonds or notes refunded shall no longer be counted in determining any limit of indebtedness of the city, town or district under this chapter or any other applicable provision of law. If such refunding bonds or notes are issued prior to the maturity or redemption date of the original bonds or notes refunded, an amount of the proceeds of the refunding bonds or notes and other moneys then available or to become available to the city, town or district, which moneys may include income to be derived from the investment of such proceeds, sufficient to pay or provide for the payment of the principal, redemption premium, if any, and interest on the bonds or notes so refunded to the date fixed for their payment or redemption shall be held in a separate fund and in trust solely for the payment of such principal, redemption premium and interest. The funds so held may be invested pursuant to section fifty-five and the income derived from such investment may be expended by the treasurer to pay the principal, redemption premium, if any, and interest on the bonds or notes refunded until they are paid or redeemed.

Approved July 15, 1980.

Chap. 522. AN ACT AUTHORIZING THE COMMONWEALTH TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF STOW TO THOMAS F. McHUGH, JR. AND LOIS MARY McHUGH.

Be it enacted, etc., as follows:

In settlement of the judgment entered in Middlesex superior court, docket number 306309, the commonwealth, acting through its water resources commission, is hereby authorized to convey to Thomas F. McHugh, Jr. and Lois Mary McHugh, their heirs and assigns, by a deed, approved as to form by the attorney general, any or all rights, title and interest of the commonwealth

in a certain parcel of land in the town of Stow for the purpose of constructing a septic system, being more particularly bounded and described as follows:

Beginning at a point in the northwesterly corner of the parcel herein described on the easterly line of Harvard Road:

THENCE RUNNING: N 74° 58' 13"E, by other land of the Commonwealth 109.42 feet to a point,

THENCE RUNNING: S 03° 08' 45" E, by other land of the Commonwealth 150.42 feet to a point,

THENCE RUNNING: S 75° 11' 34" W, by land of the grantee 109.42 feet to a point on the easterly line of Harvard Road,

THENCE RUNNING: N 03° 06' 46" W, by the easterly line of Harvard Road 150.00 feet to the point of beginning.

The above described parcel contains 16,089 square feet, more or less, and is a portion of the land taken by the Water Resources Commission, for the purpose of flood prevention, from Revolutionary Ridge Company in an Order of Taking, dated May 30, 1969 and recorded at the Middlesex District Registry of Deeds in Cambridge on May 30, 1969 in Book 11685, page 233, and is identified as tract 172D on a plan entitled "Commonwealth of Massachusetts Water Resources Commission, Plan of Land in the Towns of Bolton and Harvard (Worcester County), Boxboro and Stow (Middlesex County)", and recorded in Plan Book 11685, page 125.

Approved July 15, 1980.

Chap. 523. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF RANDOLPH TO THE RANDOLPH CHAPTER #39, DISABLED AMERICAN VETERANS BUILDING CORPORATION.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to sell and convey, in the name and behalf of the commonwealth, to the Randolph Chapter #39, Disabled American Veterans Building Corporation by a deed approved as to form by the attorney general, and at a price to be negotiated between the parties, a certain parcel of park land under the control of said commission located in the town of Randolph and bounded and described as follows:- Beginning at a point where the westernmost point of land now owned by the Randolph Chapter Number 39, Disabled American Veterans Building Corporation abuts the State Highway (Route 128) and running northwesterly on a bearing of N-51°-

23'-51"W along land now or formerly of the Commonwealth of Massachusetts, 181.29 feet; thence turning and running southeasterly on a bearing of S-10°-57'-44"E along a stone fence on land now or formerly of the Commonwealth of Massachusetts, 270.10 feet; thence turning and running easterly on a bearing of S-82°-07'-44"E along land now or formerly of the Commonwealth of Massachusetts, 68.64 feet; thence turning and running northerly on a bearing of S-07°-52"-16"W along land of the Randolph Chapter Number 39, Disabled American Veterans Building Corporation, 163.00 feet to the point of beginning. Containing 21,473 square feet of land, 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 July 15, 1980.

Chap. 524. AN ACT RELATIVE TO FRAUD AND DECEIT IN CONNECTION WITH THE MEDICAL CARE AND ASSISTANCE PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 35 of chapter 6A of the General Laws is hereby amended by striking out clause (1), as appearing in section 2 of chapter 1229 of the acts of 1973, and inserting in place thereof the following clause:- (1) permit the commission, or any designated representative thereof, the attorney general or his designee, to examine such books and accounts as may reasonably be required for it to perform its duties.

SECTION 2. Chapter 18 of the General Laws is hereby amended by striking out section 5D, as appearing in section 6 of chapter 885 of the acts of 1969, and inserting in place thereof the following section:-

Section 5D. Any vendor procuring a payment under any assistance program administered by the department who violates any of the provisions of section five B or of sections twenty-one A to twenty-one G, inclusive, of chapter one hundred and eighteen E shall be ineligible to participate further in the program for a period of three years next subsequent to the date of said violation; provided, however, that a vendor shall not be considered in violation of said section five B or of said sections twenty-one A to twenty-one G, inclusive, upon submission of proof, to the satisfaction of the commissioner, that such violation was due solely to a clerical or administrative error.

SECTION 3. Chapter 118E of the General Laws is hereby

amended by striking out section 21, as appearing in section 1 of chapter 800 of the acts of 1969, and inserting in place thereof, under the caption THE MEDICAID FALSE CLAIM ACT, the following seven sections:-

Section 21A. Any person who furnishes items or services for which payment may be made under this chapter, who:- (1) knowingly and wilfully makes or causes to be made any false statement or representation of a material fact in any application for any benefit or payment under this chapter; or (2) knowingly and wilfully makes or causes to be made any false statement or representation of a material fact for use in determining rights to such benefit or payment; or (3) having knowledge of the occurrence of any event affecting his initial or continued right to any such benefit or payment, or the benefit of any other individual in whose behalf he has applied for or is receiving such benefit or payment, conceals or fails to disclose such an event with an intent fraudulently to secure such benefit or payment either in a greater amount or quantity than is due or when no such benefit or payment is authorized; or (4) having made application to receive any such benefit or payment for the use and benefit of another and having received it, knowingly and wilfully converts such benefits or payment other than for the use and benefit of such person, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one-half years, or by both such fine and imprisonment.

Any person who does not furnish items of services for which payment may be made under this chapter, who violates any of the provisions of clauses (1) to (4), inclusive, shall be punished by imprisonment in a jail or house of correction for not more than two and one-half years or by a fine of not more than five thousand dollars or by both such fine and imprisonment.

Section 21B. Whoever solicits or receives any remuneration, including any bribe or rebate, directly or indirectly, overtly or covertly, in cash or in kind in return for purchasing, leasing, ordering or arranging for or recommending purchasing, leasing, or ordering any good, facility, service, or item for which payment may be made in whole or in part under this chapter, or whoever offers or pays any remuneration, including any bribe or rebate, directly or indirectly, overtly or covertly, in cash or in kind to induce such person to purchase, lease, order, or arrange for or recommend purchasing, leasing, or ordering any good, facility, service, or item for which payment may be made in whole or in part under this chapter shall be punished by a fine of not more than ten thousand dollars, or by imprisonment

in the state prison for not more than five years or in a jail or house or correction for not more than two and one-half years, or by both such fine and imprisonment.

This section shall not apply to a discount or other reduction in price obtained by a provider of services or other entity under this chapter if the reduction in price is properly disclosed and appropriately reflected in the costs claimed or charges made by the provider or entity under this chapter or to any amount paid by an employer to an employee, who has a bona fide employment relationship with such employer, for employment in the provision of covered items or services.

Section 21C. Whoever knowingly and willfully charges for any service provided to a patient under this chapter, money or other consideration at a rate in excess of the rates established in accordance with this chapter, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one-half years, or by both such fine and imprisonment.

Section 21D. Whoever knowingly and wilfully charges, solicits, accepts or receives, in addition to any amount otherwise required to be paid under this chapter, any gift, money, donation, or other consideration as a precondition of admitting a patient to a hospital, skilled nursing facility, or intermediate care facility, or as a requirement for the patient's continued stay in such a facility when the cost of the services provided therein to the patient is paid for, in whole or in part, under this chapter, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one-half years, or by both such fine and imprisonment.

Section 21E. If any person violates the provisions of this chapter, the attorney general or a district attorney may bring a civil action, either in lieu of or in addition to a criminal prosecution, and recover three times the amount of damages sustained including the costs of investigation and litigation. No action shall be brought under this section more than six years after it accrues.

Section 21F. Any action brought under this chapter may be filed in the district or superior courts of Suffolk county.

Section 21G. The remedies in sections twenty-one A to twenty-one E, inclusive, are in addition to and do not supersede any other available remedies.

Approved July 15, 1980.

Chap. 525. AN ACT INCREASING THE SALARIES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 15, as most recently amended by section 1 of chapter 632 of the acts of 1975, and inserting in place thereof the following section:-

Section 15. District attorneys shall devote their entire 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 a salary of forty-five thousand dollars annually.

SECTION 2. Said chapter 12 is hereby further amended by striking out section 16 and inserting in place thereof the following:

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, three assistants, a sum not exceeding forty thousand five hundred dollars; nine assistants, a sum not exceeding thirty-six thousand dollars; twelve assistants, a sum not exceeding thirty-one thousand five hundred dollars; eleven assistants, a sum not exceeding twenty-seven thousand dollars; thirteen assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for the northern district, two assistants, a sum not exceeding forty thousand five hundred dollars; five assistants, a sum not exceeding thirty-six thousand dollars; six assistants, a sum not exceeding thirty-one thousand five hundred dollars; five assistants, a sum not exceeding twenty-seven thousand dollars; four assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for the middle district, two assistants, a sum not exceeding forty thousand five hundred dollars; two assistants, a sum not exceeding thirty-six thousand dollars; six assistants, a sum not exceeding thirty-one thousand five hundred dollars; four assistants, a sum not exceeding twenty-seven thousand dollars; three assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for the eastern district, one assistant, a sum not exceeding forty thousand five hundred dollars; one assistant, a sum not ex-

ceeding thirty-six thousand dollars; two assistants, a sum not exceeding thirty-one thousand five hundred dollars; three assistants, a sum not exceeding twenty-seven thousand dollars; five assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; For the Norfolk district, two assistants, a sum not exceeding forty thousand five hundred dollars; three assistants, a sum not exceeding thirty-six thousand dollars; two assistants, a sum not exceeding thirty-one thousand five hundred dollars; one assistant, a sum not exceeding twenty-seven thousand dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; For Berkshire district, one assistant, a sum not exceeding forty thousand five hundred dollars; one assistant, a sum not exceeding thirty-six thousand dollars; one assistant, a sum not exceeding twenty-seven thousand dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for the Hampden district, one assistant, a sum not exceeding forty thousand five hundred dollas; one assistant, a sum not exceeding thirty-six thousand dollars; one assistant, a sum not exceeding thirty-one thousand five hundred dollars; three assistants, a sum not exceeding twenty-seven thousand dollars; two assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for the Bristol district, one assistant, a sum not exceeding forty thousand five hundred dollars; one assistant, a sum not exceeding thirty-six thousand dollars; one assistant, a sum not exceeding thirty-one thousand five hundred dollars; two assistants, a sum not exceeding twenty-seven thousand dollars; two assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for the Cape and Islands district, one assistant, a sum not exceeding forty thousand five hundred dollars; one assistant, a sum not exceeding thirty-one thousand five hundred dollars; one assistant, a sum not exceeding twenty-seven thousand dollars; one assistant, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars; for Plymouth district, one assistant, a sum not exceeding forty thousand five hundred dollars; two assistants, a sum not exceeding thirty-six thousand dollars; four assistants, a sum not exceeding thirty-one thousand five hundred dollars; two assistants, a sum not exceeding twenty-seven thousand dollars; four assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not

exceeding eighteen thousand dollars; and, for the northwestern district, one assistant, a sum not exceeding forty thousand five hundred dollars; one assistant, a sum not exceeding thirty-one thousand five hundred dollars; one assistant, a sum not exceeding twenty-seven thousand dollars; two assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars.

SECTION 3. Section 20A of said chapter 12 is hereby further amended by striking out the last sentence, as most recently amended by section 3 of chapter 542 of the acts of 1976, and inserting in place thereof the following sentence:

Such special assistants shall have all the powers of an assistant district attorney, and shall receive from the commonwealth a salary not exceeding eighteen thousand dollars.

Approved July 15, 1980.

EMERGENCY LETTER - August 1, 1980 @ 3:01 P.M.

Chap. 526. AN ACT RELATIVE TO THE FURNISHING OF GAS AND ELECTRICITY TO A CONDOMINIUM.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by inserting after section 94G the following section:-

Section 94H. No gas or electric company shall furnish gas or electricity to the common areas and facilities which are for the exclusive use of the owners of a condominium, as defined in section one of chapter one hundred and eighty-three A, at a rate higher than that charged for gas and electricity furnished to individual units of the condominium which rate shall be set forth in the schedules of such gas or electric company applicable to residential use. The department may establish regulations necessary to carry out the provisions of this section.

Approved July 15, 1980.

Chap. 527. AN ACT RELATIVE TO THE ELIGIBILITY OF CERTAIN JUSTICES TO BE FIRST JUSTICES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (b) of section 6A of chapter 218 of the General Laws, as appearing in section 174 of chapter 478 of the acts of 1978, is hereby amended by striking out clause (5) and inserting in place thereof the following clause:- (5) as provided in the preceding section six, he shall be eligible to be a first justice of the division to which he is appointed and the

date of appointment as a special justice shall be used for calculating seniority for the purposes of this section and section six.

SECTION 2. This act shall apply only to first justice vacancies occurring on or after the effective date of this act.

Approved July 15, 1980.

Chap. 528. AN ACT ESTABLISHING A PROCEDURE FOR THE TRANSFER OF RIGHTS AND TITLE TO DIES, MOLDS OR FORMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by adding the following section:-

Section 320. For purposes of this section the following words shall have the following meaning unless the context clearly requires otherwise:-

"Customer", any individual or entity who causes or caused a molder to fabricate, cast, or otherwise make a die, mold, or form.

"Molder", any individual or entity, including, but not limited to, a tool or die maker, who fabricates, casts, or otherwise makes a die, mold, or form.

In the absence of any agreement to the contrary, the customer shall have all rights and title to any die, mold, or form in the possession of the molder except as provided in this section. If a customer does not claim possession from a molder of a die, mold, or form within three years following the last prior use thereof, all rights and title to any die, mold, or form may be transferred to the molder for the purpose of destroying or otherwise disposing of such die, mold, or form. If a molder chooses to have all rights and title to any die, mold, or form transferred to the molder, he shall send written notice by registered mail, return receipt requested, to the customer at the address, if any, indicated in the agreement pursuant to which the molder obtained possession of the die mold or form and to the customer's last known address indicating that the molder intends to terminate the customer's rights and title by having all such rights and title transferred to the molder pursuant to this section. If a customer does not respond in person or by mail to claim possession of the particular die, mold, or form within ninety days following the date of acknowledgement or non-acknowledgement of the return receipt of such notice, or does not make other contractual arrangements with the molder for storage thereof, all rights and title of the customer shall transfer to the molder and thereafter, the molder must destroy the particular

mold, tool, or die as the molder's own property, except that this section shall not be construed in any manner to affect any right of the customer, under federal patent or copyright law any state or federal law pertaining to unfair competition.

SECTION 2. This act shall not apply in the event of a written agreement between the molder and the customer which agreement deals with possession of the die, mold, or form for a period of three or more years following the last prior use thereof by the molder.

SECTION 3. For the purposes of section three hundred and twenty of chapter ninety-four of the General Laws, any die, mold or form in the possession of a molder on the effective date of this act shall be considered to have been last used on said effective date.

Approved July 15, 1980.

Chap. 529. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO SELL AND CONVEY CERTAIN CONSERVATION LAND LOCATED IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Wayland is hereby authorized to sell and convey for the sum of ten dollars and certain land in said town to Marie L. Cutler, a certain parcel of land presently owned by said town and managed and controlled by the Wayland Conservation Commission of said town for open space and conservation purposes, said parcel of land containing 15,041 square feet, more or less, and shown as Lot B on a plan entitled "Plan of land in Wayland, Mass., scale: 1 in. = 100 ft., December 14, 1978, Everett M. Brooks Co., Civil Eng'rs, Newtonville Mass.", recorded with the southern district registry of deeds in Middlesex county as Plan No. 77 in Book 13885, page 230, and being more particularly described as follows:

Beginning at the most southerly corner of the parcel of land shown as Eliot Road on the above mentioned plan, thence S 24-01-47 W, one hundred eighteen and 09/100 (118.09) feet, thence S 78-59-10 W, two hundred sixty-seven and 74/100 (267.74) feet, thence N 01-32-17 W, eighty-two and 51/100 (82.51) feet, thence S 86-26-24 E, two hundred twenty-seven and 48/100 (227.48) feet, thence N 43-30-52 E, one hundred twenty-five and 00/100 (125.00) feet to the point of beginning.

Approved July 15, 1980.

Chap. 530. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE 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 Mashpee may grant to Mashpee Liquors, Inc. a license under the provisions of section fifteen of said chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except section seventeen.

Approved July 15, 1980.

Chap. 531. AN ACT ESTABLISHING CIVIL AND CRIMINAL REMEDIES FOR CERTAIN FRAUDULENT ACTS AFFECTING THE COMMONWEALTH AND COMMERCIAL BRIBERY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 93 of the General Laws is hereby amended by inserting after section 9A the following section:-

Section 9B. Any person who shall make or cause to be made, or present or cause to be presented, for payment or approval, to or by any employee, department, agency, or public instrumentality of the commonwealth, or any political subdivision thereof, any claim upon or against any department, agency, public instrumentality of the commonwealth, or any political subdivision thereof, knowing such claim to be false, fictitious or fraudulent, or who, for the purpose of obtaining or aiding to obtain the payment or approval of such claim, makes, uses, or causes to be made or used, any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry, shall forfeit and pay to the commonwealth, or any political subdivision thereof, the sum of two thousand dollars and, in addition, double the amount of damages which the commonwealth or political subdivision thereof may have sustained by reason of the doing or committing of such act, together with the costs of the action. Any such action may be brought in the superior court of the county in which the person resides or has his principal place of business, or in the superior court department of the trial court for Suffolk county.

SECTION 2. Chapter 266 of the General Laws is hereby

amended by inserting after section 67 the following two sections:-

Section 67A. Whoever, in any matter, relative to procurement of supplies, services or construction, as defined in section six of chapter twelve A, within the jurisdiction of any department, agency or public instrumentality of the commonwealth, or of any political subdivision thereof, intentionally:

(1) makes a material statement that is false;

(2) omits or conceals a material fact in a written statement;

(3) submits or invites reliance on a material writing or recording that is false, forged, altered, or otherwise lacking in authenticity;

(4) submits or invites reliance on a sample, specimen, map, photograph, boundary-mark, or other object that is misleading in a material respect; or

(5) uses any trick, scheme, or device that is misleading in a material respect;

shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than five years, or in the house of correction for not more than two and one-half years, or both.

Section 67B. Whoever makes or presents to any employee, department, agency or public instrumentality of the commonwealth, or of any political subdivision thereof, any claim upon or against any department, agency, or public instrumentality of the commonwealth, or any political subdivision thereof, knowing such claim to be false, fictitious, or fraudulent, shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than five years, or in the house of correction for not more than two and one-half years, or both.

SECTION 3. Chapter 271 of the General Laws is hereby amended by striking out section 39, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 39. (a) Whoever, in relation to any transaction or matter concerning the business affairs of an employer, principal or beneficiary (1) offers, gives or agrees to give an agent or fiduciary of another person any benefit or anything of value with intent to influence the recipient's conduct, or (2) as an agent or fiduciary, solicits, accepts or agrees to accept any benefit or anything of value from another person who is not an employee, principal, or beneficiary upon an agreement or understanding that such benefit or thing of value will influence his conduct, shall be punished by imprisonment in the state prison for not more than five years, or by a fine of not more than ten thousand dollars, or both.

(b) Whoever, verbally or by a written or printed communication, threatens an economic injury to another, or threatens to deprive another of an economic opportunity, with intent to compel that person to do any act, involving the use or disposition of anything of value against his will, shall be punished by imprisonment in the state prison for not more than five years, or in the house of correction for not more than two years, or by a fine of not more than five thousand dollars, or both. The provisions of this paragraph shall not apply to any labor disputes as defined in section two of chapter one hundred and fifty A.

Approved July 15, 1980.

Chap. 532. AN ACT RELATIVE TO UNINSURED AND UNDERINSURED MOTOR VEHICLE COVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Section 113L of chapter 175 of the General Laws is hereby amended by striking out paragraph (1), as amended by chapter 380 of the acts of 1973, and inserting in place thereof the following paragraph:-

(1) No policy shall be issued or delivered in the commonwealth with respect to a motor vehicle, trailer or semitrailer registered in this state unless such policy provides coverage in amounts or limits prescribed for bodily injury or death for a liability policy under this chapter, under provisions approved by the insurance commissioner, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles, trailers or semitrailers and hit-and-run motor vehicles because of bodily injury, sickness or disease, including death resulting therefrom, and coverage for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of insured motor vehicles, trailers or semitrailers, whose policies or bonds are insufficient in limits of liability to satisfy said damages, to the extent that said damages exceed said limits of liability subject to the terms of the policy.

SECTION 2. Said section 113L of said chapter 175 is hereby further amended by striking out paragraph (2), as appearing in section 5 of chapter 643 of the acts of 1968, and inserting in place thereof the following paragraph:-

(2) For the purpose of said coverage, the term "uninsured motorists" shall include protection of persons injured thereunder who are legally entitled to recover damages from owners or operators of insured motor vehicles, trailers or semitrailers

whose policies or bonds are insufficient in limits of liability to satisfy said damages to the extent that said damages exceed said limits of liability subject to the terms of the policy, and subject to the terms and conditions of such coverage, be extended to include an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency.

SECTION 3. This act shall take effect on January first, nineteen hundred and eighty-one.

Approved July 15, 1980.

Chap. 533. AN ACT CONCERNING THE PUBLIC HEALTH DEPARTMENT OF THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Upon acceptance of this act the mayor of the city of Springfield shall appoint a public health council consisting of fifteen members, one member shall be the commissioner of public health, eight members shall be selected from persons who are employed in the planning, administration, education, delivery or financing of health care services or the manufacture or distribution of medical supplies, at least two of whom shall be registered physicians, six members shall be selected from persons who are not employed in, or who do not receive more than ten per cent of their family income from persons employed in the planning, administration, education, delivery or financing of health care services or the manufacture or distribution of medical supplies. The latter six members shall be selected from a broad representation of population groups in the city, based on prevailing categorical distinctions such as neighborhood, ethnic, age, sex, income, or handicapped groupings - taking into consideration the specific populations served by the health department. The mayor shall appoint a chairperson, who shall not be the commissioner, from the members on February first of every other year.

SECTION 2. Members of the public health council, other than the commissioner shall serve for a term of three years and until a successor is appointed and be limited to no more than two consecutive terms in office. The terms of office of the members thereof first appointed shall be arranged so that five members shall be appointed for a one year term, five members shall be appointed for a two year term and four members shall be appointed for a three year term. Upon the qualification of the commissioner first appointed under this act the terms of office of the members of the public health council of said city then in

office shall cease.

SECTION 3. The public health council shall make and promulgate rules and regulations such as boards of health may make under general and special laws. It shall meet for at least ten monthly meetings and as often as otherwise necessary or at the call of the commissioner or chairperson to advise the commissioner on all matters relative to health and sanitation in said city and the administration of the health department and hospitals of said city. It shall provide the mayor with an annual evaluation of the performance of the public health department and the public health commissioner of the city and, after holding a public hearing thereon, shall perform an annual assessment of the health needs of the city of Springfield.

SECTION 4. The commissioner of public health shall be a citizen of the United States and either (a) be a registered physician who shall be specially fitted by education, training, and experience to perform the duties of commissioner of public health; or (b) have a masters degree in public health or a related field from an accredited college or university and three years full time experience in public health administration. In the event the commissioner is not a registered physician, the commissioner shall secure medical consultation where appropriate. The commissioner shall be a voting member of the public health council and shall be a noncivil service employee who shall serve for a term of five years, from January first in the year in which the commissioner is appointed, and until a successor is qualified unless sooner removed in accordance with the city charter.

The entire time of the commissioner shall be devoted to the duties of office. The mayor and the city council shall establish two separate schedules of compensation for the office of commissioner, one of which would reflect a higher rate of compensation if the office is filled by a physician, the other would reflect a lower rate of compensation if the office is filled by a nonphysician.

SECTION 5. The commissioner shall perform the duties, and except as provided in section three, shall have all the powers imposed and conferred upon the board of health of the city of Springfield by general or special laws and such other similar duties as may be prescribed by ordinance. The commissioner shall be the executive officer of the public health department of said city and shall administer in said city the laws relative to health and sanitation and the rules and regulations of the state department of public health and the rules and regulations promulgated by the public health council as hereinbefore provided.

SECTION 6. The commissioner may from time to time employ such assistants as may be required in the performance of the

duties of the office of commissioner and the public health department and shall determine their compensation in accordance however with the ordinances of the city and within the appropriation for such department and subject to the approval of the mayor. The commissioner may, subject to the approval of the mayor and the ordinances of the city, expend such sums for labor, materials, services and such incidental expenses as may be necessary for the use of such department; provided however that all such expenditures for employment of assistants and for labor, materials, services and other incidentals shall be limited to the amount actually appropriated by the city council for such department, and such other funds as are received by donation or otherwise with the approval of the city council.

SECTION 7. Such provisions of chapter ninety-four of the acts of eighteen hundred and fifty-two, chapter two hundred sixty-seven of the acts of nineteen hundred and thirty-four and acts in amendment thereof or in addition thereto, and such ordinances of said city, as are inconsistent with this act are hereby repealed; but nothing in this act shall abrogate or in any manner affect the rules and regulations of the public health council of said city previously promulgated until or unless they are amended or repealed by the public health council as hereinbefore provided.

SECTION 8. The provisions of this act shall not impair the civil service status of any person employed by the public health department of the city of Springfield on the effective date of this act.

SECTION 9. This act shall take effect upon its acceptance by the city of Springfield.

Approved July 15, 1980.

Chap. 534. AN ACT RELATIVE TO ASSISTANT DISTRICT ATTORNEYS IN THE HAMPDEN DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 12 of the General Laws, as most recently amended by section 60 of chapter 367 of the acts of 1978, is hereby further amended by striking out the seventh paragraph and inserting in place thereof the following paragraph:-

For the Hampden district, thirteen assistant district attorneys.

SECTION 2. Said chapter 12 is hereby further amended by deleting in section 16 the words "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" and inserting in place thereof the following: "for the Hampden district, two assistants, a sum not exceeding forty thousand five hundred dollars; two assistants, a sum not exceeding thirty-six thousand dollars; three assistants, a sum not exceeding thirty-one thousand five hundred dollars; four assistants, a sum not exceeding twenty-seven thousand dollars; two assistants, a sum not exceeding twenty-two thousand five hundred dollars; all other assistant district attorneys, a sum not exceeding eighteen thousand dollars.

Approved July 15, 1980.

Chap. 535. AN ACT AUTHORIZING THE CITY OF LYNN TO REINSTATE LEO J. POWERS AS A LABORER IN THE DEPARTMENT OF PUBLIC WORKS IN SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law or any rule or regulation to the contrary, the city of Lynn may reinstate Leo J. Powers, a former member of the department of public works of said city, who was separated from said department in the year nineteen hundred and seventy-one, upon the occurrence of the next vacancy in the position of laborer after the effective date of this act; provided, however, that he passes a physical examination to which he shall be subjected by the division of civil service. In the event of such reinstatement, said Leo J. Powers shall not be entitled to any seniority rights as a result of his previous service.

Approved July 15, 1980.

Chap. 536. AN ACT EXEMPTING CONFIDENTIAL SECRETARIES AND ADMINISTRATIVE ASSISTANTS IN MUNICIPAL LIGHT COMMISSIONS FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The third paragraph of section 48 of chapter 31 of the General

Laws, as appearing in section 11 of chapter 393 of the acts of 1978, is hereby amended by inserting after the second clause the following clause:- Confidential secretaries and administrative assistants in municipal light commissions.

Approved July 15, 1980.

Chap. 537. AN ACT PROVIDING FOR A CAPITAL OUTLAY PROGRAM TO UPGRADE CERTAIN FACILITIES FOR THE MENTALLY RETARDED CONSISTENT WITH FEDERAL COURT CONSENT DECREES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for a capital outlay program to fund the upgrading of certain facilities for the mentally retarded consistent with federal court consent decrees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program of construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, the sums set forth in section two, inclusive, of this act, for the several purposes and subject to the conditions in said section two, inclusive, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

DEPARTMENT OF MENTAL HEALTH.

Item		
	Administration.	
5011-8811	For the planning and upgrading of facilities for the mentally retarded including the cost of furnishings and equipment; provided, that the maximum per cent of such expenditures be eligible for federal reimbursement at the established rate of 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	$41,810,000

Item		
5011-8812	For the preparation of plans, construction, acquisition of land or land and buildings thereon, renovations and upgrading of facilities, including the cost of furnishings and equipment for the mentally retarded consistent with the Federal Court consent decrees for the state institutions for the mentally retarded, provided that the commissioner of mental health with the prior approval of the secretary of human services shall determine the expenditure of such sums	$9,700,000

SECTION 3. To meet the expenditures necessary in carrying out the provisions of section 2 of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of fifty-one million, five hundred and ten thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan-Consent Decrees, Act of 1980, and shall be issued 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 or rates as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and four. Bonds and interest thereon issued under the authority of this section, shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

Approved July 16, 1980.

Chap. 538. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-ONE TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects the sums set forth in section two for the purpose and subject to the conditions specified therein are hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and twenty-nine of the acts of nineteen hundred and eighty, for the fiscal year ending June thirtieth, nineteen hundred and eighty-one or for such period as may be specified, the sums so appropriated to be in addition to any amounts available for the purpose.

SECTION 2.

Item		
	Emergencies.	
1599-2025	For a reserve to meet emergencies; provided, that 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 emergency shall have been certified by the agency and the secretary having jurisdiction over the requesting agency; and that the existence of the said emergency shall have been verified by the house and senate committees on ways and means; and provided further, that 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; and provided further, that not less than two million two hundred thousand dollars shall be spent to meet costs of certain recommendations of the governor's management task force	$1,000,000
1599-2103	For a reserve to meet the costs of the administration of the office of the Inspector General during fiscal year nineteen hundred and eighty-one; provided, that sums may be transferred from this account upon recommendation of the commissioner of administration and prior approval by the house and senate committees on ways and means	440,000
	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	200,000
	DEPARTMENT OF PUBLIC WELFARE.	
4402-5310	For a court ordered medical assistance program of mental health and mental retardation services pursuant to provisions of Public Law 89-97, Title XIX; provided that all federal funds received for the purpose of this item shall be credited to the General Fund	1,375,850

Item	DEPARTMENT OF MENTAL HEALTH.	
5011-0012	For court ordered expenditures for transportation services for adult clients of the Bureau of Institutional Schools	$900,000
5011-9006	For court ordered improvements to existing community programs; provided, that the department file quarterly with the house and senate committees on ways and means a status report detailing the expenditures of this item by program; provided, further, that no funds shall be encumbered until the existance of said need shall have been verified by the house and senate committees on ways and means	4,766,836
5016-0101	For court ordered programs and services, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department	8,685,614
5016-0102	For court ordered community programs for the retarded, provided that expenditures for the purpose of this item shall be made before April 1, 1981; provided further, that the department shall report monthly to the house and senate committees on ways and means, expenditures made by region, the starting date of each program, the number of clients served per program, the cost for the start-up month and the cost for the full fiscal year	6,495,545
5021-0002	For court-ordered community programs for children, provided that expenditures for the purpose of this item shall be made before April 1, 1981; provided further, that the department shall report monthly to the house and senate committees on ways and means, expenditures made by region, the starting date of each program, the number of clients served per program, the cost for the start-up month and the cost for the full fiscal year	376,656
5022-0110	For court ordered community programs, provided that expenditures for the purpose of this item shall be made before April 1, 1981; provided further that the department shall report monthly to the house and senate committees on ways and means, expenditures made by region, the starting date of each program, the number of clients served per program, the cost for the start-up month and the cost for the full fiscal year	2,251,789
5026-0101	For court ordered expansion of services to the retarded at Fernald, Wrentham and Dever State Schools, provided that no monies appropriated under this item shall be expended for overtime	1,247,009
5100-0101	For court ordered programs and services, in region one, provided that no monies appropriated under this item shall be expended for overtime	

and provided that no transfers between subsidiary accounts shall be permitted, and provided further, that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department $3,378,016

5183-0101 For court ordered programs and services, at the Belchertown State School, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department 949,039

5271-0101 For court ordered programs and services, at the Glavin Regional Center, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for socalled consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department 19,502

5283-0101 For court ordered programs and services, at the Monson Developmental Center, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and

Item		
	the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department	$699,605
5377-0101	For court ordered programs and services, at the Hogan Regional Center, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for socalled consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department	117,543
5483-0101	For court ordered programs and services, at the Fernald State School, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department	2,310,454
5551-0101	For court ordered programs and services, at the treatment center at Massachusetts Correctional Institute at Bridgewater, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called	

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permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department $368,375

5583-0101 For court ordered programs and services, at the Paul A. Dever State School, provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for socalled consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department 971,897

5883-0101 For court ordered programs and services, at the Wrentham State School provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies for socalled consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department 1,267,408

5898-0101 For court ordered programs and services, at Foxborough State Hospital provided that no monies appropriated under this item shall be expended for overtime and provided that no transfers between subsidiary accounts shall be permitted, and provided further that thirty days prior to the encumbrance of said funds, the commissioner of administration and the house and senate committees on ways and means shall verify that (a) monies for so-called permanent and temporary personnel shall be used to decrease staff-client ratios and to ensure that the active treatment needs of each client are met as prescribed in the individual service plans, (b) monies

Item		
	for so-called consultant services shall only be expended for services which cannot be provided by existing department of mental health personnel, (c) monies for all non-personnel expenditures shall only be permitted upon the submission of explanatory materials related to the essential nature of said supplemental expenditures by the department	$76,000

SECTION 3. Section 2 of chapter 354 of the acts of 1980 is hereby amended by striking out item 1599-2102 and inserting in place thereof the following item:

1599-2102	For a reserve to meet the needs of certain additional costs for the department of correction facility expansion program during fiscal year nineteen hundred and eighty-one; provided, that sums may be transferred from this account to appropriate items upon recommendation of the commissioner of administration and prior approval by the house and senate committees on ways and means, appropriation expires June thirtieth, nineteen hundred and eighty-one	1,800,000

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

Approved July 16, 1980.

Chap. 539. AN ACT TO INCREASE THE FEES CHARGED BY THE COURTS OF THE COMMONWEALTH AND TO MAKE UNIFORM THE PROCEDURE FOR INDIGENTS TO OBTAIN WAIVERS OF SUCH FEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 185C of the General Laws is hereby amended by striking out section 19, as inserted by section 92 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 19. Proceedings shall be commenced in the housing court department as follows: a criminal case by complaint in like manner as in the district court department, a civil action in accordance with the Massachusetts Rules of Civil Procedure; provided, however, that a summary process action and a small claims action shall be commenced and administered in accordance with rules promulgated with the approval of the supreme judicial court. Clerks of the housing court department shall charge a fee of twenty-five dollars for the entry of an action, which shall be paid by the party entering the same; and no other fee shall be charged for taxing costs, for issuing any subpoena or execution or for issuing any order of notice or other mesne, interlocutory or final order, rule, decree of process authorized by law, except a temporary restraining order or preliminary injunction for the issuance of which the clerk shall charge twenty-five dollars; provided, however, that no fee for the entry of an action or for the issuance of a temporary restraining order or preliminary injunction shall be charged to the commonwealth or political subdivision thereof.

Notwithstanding that a proceeding under this chapter is commenced by complaint, if it is found that the offense charged was not willful, intentional, reckless or repeated, the proceeding shall not be deemed criminal and no record of the case shall be entered in the probation records.

SECTION 2. Section 22 of chapter 218 of the General Laws, as most recently amended by section 186 of chapter 478 of the acts of 1978, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

The procedure shall include the beginning of actions with an entry fee of five dollars for claims of five hundred dollars or less and seven dollars and fifty cents for claims of greater than five hundred dollars, plus the costs of registered mail notice, but without summons and complaint and without requirement, except by special order of court, of any pleading other than a statement to the clerk or an assistant clerk, who shall reduce the same to concise written form in a docket kept for the purpose.

SECTION 3. Chapter 221 of the General Laws is hereby amended by striking out section 37, as most recently amended by section 73 of chapter 925 of the acts of 1972, and inserting in place thereof the following section:-

Section 37. A citizen of the United States, if over eighteen, may file a petition in the supreme judicial court or superior court to be examined for admission as an attorney at law. Unless the court otherwise orders, the clerk of such court shall refer the petition to the board of bar examiners to ascertain his acquirements and qualifications. If the board reports that the petitioner is of good moral character and sufficient acquirements and qualifications and recommends his admission, he shall be admitted unless the court otherwise determines, and thereafter may practice in all the courts of the commonwealth. A petitioner to be examined for admission shall pay to the clerk of the court in which his petition is filed a fee of one hundred dollars upon the entry of his petition and a further fee of one hundred dollars upon the entry of any subsequent petition. A member of the bar of any other state who applies to be admitted without examination shall pay to the clerk of the court in which his petition is filed a fee of three hundred dollars. Such fees shall be paid over to the commonwealth.

SECTION 4. Chapter 231 of the General Laws, as appearing in section 263 of chapter 478 of the acts of 1978, is hereby amended by striking out section 104 and inserting in place thereof the following section:-

Section 104. Any other party, a plaintiff against whom a claim, counterclaim, or cross-claim is brought, and a defendant who asserts a compulsory counterclaim, may, provided that the amount of the claim against such other party, the amount of the claim, counterclaim or cross-claim brought against such plaintiff, or the amount of the compulsory counterclaim asserted by such defendant, as the case may be, exceeds seven thousand five hundred dollars, file in the district court in which the action is pending a claim of trial by the superior court together with the fee for the entry of the claim of each plaintiff in the superior court, and, except as provided in section one hundred and seven, a bond in the penal sum of one hundred dollars, with such surety or sureties as may be approved by the party or parties not asserting such claim of trial by the superior court or by the clerk or an assistant clerk of said district court, payable to the other party or parties, conditioned to satisfy any judgment for costs which may be entered against him in the superior court in said cause within thirty days after the entry thereof. Such claim of trial by the superior court must be filed no later than twenty-five days after service of the pleading which asserts the claim, counterclaim, or cross-claim on which the right to remove is based; provided, however, that in the case of a

compulsory counterclaim, the party asserting such counterclaim must file such claim of trial by the superior court no later than five days after the expiration of the time allowed to assert such counterclaim. The clerk shall forthwith transmit the papers and entry fee to the clerk of the superior court and the same shall proceed as though then originally entered there.

Removal of a case under this section shall remove any default and vacate any judgment entered thereon for failure to plead or otherwise defend in the district court, excepting cases in which the ad damnum does not exceed seven thousand five hundred dollars. Cases in which no claims, counterclaims and cross-claims exceed seven thousand five hundred dollars and those in which rights of parties to remove for trial in the superior court as hereinabove provided are not properly exercised shall be tried in the district court. A party who would have been entitled to remove the case for trial in the superior court as herein above provided but for the fact that the amount of the claim, counterclaim, or cross-claim, as the case may be, does not exceed seven thousand five hundred dollars shall, if he desires trial by the superior court, file an entry fee of fifty dollars and bond within ten days after notice of the decision or finding. Such filing shall have the same effect as a request for retransfer under section one hundred and two C, and the decision shall be transmitted to and the case tried in the superior court subject to the provisions of said section one hundred and two C applicable to retransferred cases.

SECTION 5. Chapter 261 of the General Laws is hereby amended by striking out section 27A, as inserted by section 3 of chapter 694 of the acts of 1974, and inserting in place thereof the following section:-

Section 27A. As used in sections twenty-seven A to twenty-seven G, inclusive, the following words shall have the following meanings:

"Indigent", (a) a person who receives public assistance under the Massachusetts Aid to Families with Dependent Children, General Relief or Veteran's Benefits programs or receives assistance under Title XVI of the Social Security Act, or the Medicaid Program, 42 USC 1396, et seq, or (b) a person whose income, after taxes, is one hundred twenty-five per cent or less of the current poverty threshold annually established by the Community Services Administration pursuant to section six hundred twenty-five of the Economic Opportunity Act, as amended, or (c) a person who is unable to pay the fees and costs of the proceeding in which he is involved, or is unable to do so without depriving himself or his dependents of the necessities of life, including food, shelter and clothing.

"Fees and costs", fees and costs shall not include attorneys' fees.

"Normal fees and costs", the fees and costs a party normally is required to pay in order to prosecute or defend the particular type of proceeding in which he is involved. They shall include, but not be limited to, the following: in all civil cases, filing or entry fees, and fees and related costs for service of process, including publication of a citation when publication is ordered; fees and costs for the issuance or service of a subpoena and witness fees for trial or deposition; jury trial fees; removal fees; costs assessed in a bill of costs; in equity, fees for the issuance of an injunction, restraining order, writ or other process; in the probate and family court department, fees for an amendment of record.

"Extra fees and costs", the fees and costs, in addition to those a party is normally required to pay in order to prosecute or defend his case, which result when a party employs or responds to a procedure not necessarily required in the particular type of proceeding in which he is involved. They shall include, but not necessarily be limited to, the cost of transcribing a deposition, expert assistance and appeal bonds and appeal bond premiums.

"Clerk", the clerk or an assistant clerk or the register or an assistant register.

SECTION 6. Said chapter 261 is hereby amended by striking out section 27B, as amended by section 15 of chapter 344 of the acts of 1979, and inserting in place thereof the following section:-

Section 27B. Upon or after commencing or answering to any civil, criminal or juvenile proceeding or appeal in any court, including but not limited to civil actions, proceedings for divorce or separate support, summary and supplementary processes, and proceedings upon petitions to vacate, for review or, upon appeal in a criminal case, any party may file with the clerk an affidavit of indigency and request for waiver, substitution or payment by the commonwealth of fees and costs upon a form prescribed by the chief justice of the supreme judicial court and in accordance with the standards set forth in sections twenty-seven C to twenty-seven F, inclusive, and sworn to under oath by the affiant.

An indigent party may subsequently file one or more supplementary affidavits requesting the waiver, substitution or payment by the commonwealth of fees and costs not previously granted at any time while the case is still pending in the original court or elsewhere.

SECTION 7. Said chapter 261 is hereby further amended by striking out section 27C, as amended by section 269 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 27C. (1) If the affidavit is filed with the complaint or other paper initiating the proceeding, the clerk shall receive the complaint or other paper for filing and proceed as if all regular filing fees had been paid. Such filing shall be conditional until either (a) the affidavit is granted or (b) if the affidavit is denied, the payment of necessary and regular filing fees is made within five days of the denial of the affidavit, or such further time as the court may allow, or within five days of the denial of any appeal relating to the affidavit, whichever is later.

(2) If the affidavit appears regular and complete on its face and indicates that the affiant is indigent, as defined in section twenty-seven A, and requests a waiver, substitution or payment by the commonwealth, of normal fees and costs, the clerk shall grant such request forthwith without hearing and without the necessity of appearance of any party or counsel.

(3) If the affidavit does not appear to satisfy the condition of paragraph (2), the clerk or register shall forthwith bring the affidavit to the attention of the justice or judge, as the case may be. The justice or judge may grant such request forthwith or may have the clerk or register notify the affiant that a hearing will be held on the affidavit within five days. If it appears at the hearing that there is a serious question as to the affiant's indigency, as defined in section twenty-seven A, then before making a finding of indigency, the court shall consider the following facts with respect to the applicant as of the time of hearing, in the immediate past and with respect to the immediate future; his age, education, training, physical and mental ability and number of dependents; gross and net income; regular and extraordinary expense, if any; assets and liabilities; whether or not he is a recipient of public assistance and for what purposes; and any other facts which are relevant to the applicant's ability to pay court costs.

(4) If the court makes a finding of indigency, it shall not deny any request with respect to normal fees and costs, and it shall not deny any request with respect to extra fees and costs if it finds the document, service or object is reasonably necessary to assure the applicant as effective a prosecution, defense or appeal as he would have if he were financially able to pay. The court shall not deny any request without first holding a hearing thereon; and if there is an appeal pursuant to section twenty-seven D following a denial, the court shall, within three days, set forth its written findings and reasons justifying such denial, which document shall be part of the record on appeal.

(5) The clerk of each court shall conspicuously post in the part of his office open to the public a notice informing the public in plain language of the availability of waiver, substitution or payment by the commonwealth of fees and costs for indigent persons.

SECTION 8. Said chapter 261 is hereby further amended by striking out section 27D, as amended by section 269 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 27D. In any case where the court denies a request for waiver, substitution or payment by the commonwealth of fees and costs, pursuant to section twenty-seven C or any other provision of law, the applicant may take an appeal as hereinafter provided. If the matter arises in the superior, the land, the probate or the housing court departments, the appeal shall be to a single justice of the appeals court at the next sitting thereof; and if the matter arises in the district, municipal, or juvenile court departments, the appeal shall be to the superior court then sitting in the same county, if any, or if not, to the superior court sitting in the nearest county or in Suffolk county. Upon being notified of the denial the applicant shall also be advised of his right of appeal, and he shall have seven days thereafter to file a notice of appeal with the clerk or register. Upon receipt of notice of appeal timely filed the clerk or register shall forthwith notify the judge or justice, who shall with three days set forth his written findings and reasons as provided in paragraph (4) of section twenty-seven C. The clerk or register shall then forward the affidavit and request, the court's findings and reasons for denial and any other documents on file relevant to the appeal, to the clerk of the court hearing the appeal, who, upon receipt thereof, shall set the matter down for speedy hearing and send notice to the applicant. The court denying the request may, with or without motion, stay proceedings pending appeal or issue any other order or process to preserve the rights of the parties pending the appeal. The court hearing the appeal may enter or revoke such a stay or other order, and its decision shall be final with respect to such request.

SECTION 9. Section 27G of said chapter 261, as amended by section 269 of chapter 478 of the acts of 1978, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

The clerk shall receive from any indigent party or his attorney all bills and vouchers for any document, service or object rendered to said party for which an order for payment by the commonwealth has been issued, and shall transmit said bills and vouchers and an attested copy of said order to the state treasurer, who shall make prompt payment thereon.

SECTION 10. Chapter 262 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 858 of the acts of 1971, and inserting in place thereof the following section:-

Section 2. The fees of the clerks of the district and Boston municipal court departments of the trial court in civil actions, shall be as follows:-

For the entry of a complaint, petition or other action, twenty-five dollars.

For the entry of supplementary proceedings under chapter two hundred and twenty-four, ten dollars, which, together with the fees of witnesses and officers in such proceedings, shall be allowed the creditor as costs.

For the entry of a claim of trial by the superior court under section one hundred and four of chapter two hundred and thirty-one, twenty-five dollars.

For approving or disapproving by the court of sureties on bonds or recognizances, except bonds given for removal of actions to the superior court, fifteen dollars.

For the entry of a civil appeal in the appellate division of the district court department, twenty-five dollars.

Notwithstanding the foregoing, for the entry of a complaint, petition, appeal or other action or removal from the district court by the commonwealth no fee shall be paid; but, if the commonwealth prevails in the action, the fees shall be taxed against the other party.

SECTION 11. Said chapter 262 is hereby further amended by striking out section 4, as most recently amended by section 163 of chapter 377 of the acts of 1975, and inserting in place thereof, the following three sections:-

Section 4. The fees of the clerks of the supreme judicial court for the commonwealth and for each of the counties and for the appeals court shall be as follows:

For the entry of a complaint, petition, appeal or other action, seventy-five dollars.

For the filing of an application for further appellate review, one hundred dollars.

For the issuance of an injunction or restraining order, twenty-five dollars.

Notwithstanding the foregoing, for the entry of an appeal, petition, complaint or other action and for the filing of an application for further appellate review by the commonwealth, no fee shall be paid and no fee shall be charged to the commonwealth for the issuance of an injunction or restraining order; but if the commonwealth prevails in the action, the fees shall be taxed against the other party.

Section 4A. The fees of clerks of courts of the superior court department of the trial court shall be as follows:-

For the entry in the superior court department of the trial court of a complaint, petition or other action and for the filing of a petition to the county commissioners, fifty dollars, except that no fee shall be required from a municipality filing a petition to the county commissioners for the county in which it is located.

For issuance of an injunction or restraining order, twenty-five dollars.

Notwithstanding the foregoing, for the entry of a complaint, petition or other action by the commonwealth, no fee shall be paid and no fee shall be charged to the commonwealth for the issuance of an injunction or restraining order; but, if the commonwealth prevails in the action, the fees shall be taxed against the other party.

Section 4B. The chief administrative justice of the trial court, shall, subject to the approval of the supreme judicial court, establish and periodically revise a uniform schedule of fees to be charged by the various departments of the trial court for court documents and services which shall include, but not be limited to, certificates of orders, decrees, rulings, judgments, attested and unattested copies of court documents, records, blank writs and summons, subpoenas, writs of habeas corpus, for other forms, for approving or disapproving sureties on bonds or recognizances, for tape cassette recordings of proceedings in the trial court department, for commissions to take depositions, and for waivers of notice of marriage.

SECTION 12. Said chapter 262 is hereby further amended by striking out section 39, as most recently amended by chapter 1105 of the acts of 1973, and inserting in place thereof the following section:-

Section 39. The fees payable under chapter one hundred and eighty-five shall be as follows:

For the entry of every original petition or writ and transmitting it to the recorder, when filed with an assistant recorder, twenty-five dollars.

For every plan filed in an original proceeding, twenty-five dollars, and for every new plan filed after original registration, or for making a new plan filed under an original registration, or for making a new plan on request of a registered owner, fifteen dollars plus three dollars for each lot shown on said plan. The filing fee in the registry of deeds upon receipt from the recorder of the land court department of a plan or copy of a plan shall be ten dollars.

For indexing an instrument recorded while a petition for registration is pending, five dollars.

For examining title, on a petition to register land, or on a petition to register easements or rights in land, the actual amount charged or allowed therefor to the examiner by the court.

For each notice by mail, three dollars plus the actual cost of printing.

For all services by a sheriff or deputy sheriff under provi-

sions of chapter one hundred and eighty-five, the same fees as are provided by law for like services.

For each notice by publication, three dollars plus actual cost of publication.

For entry of an order dismissing a petition for registration of title, or for foreclosure of a tax title, or a decree of foreclosure of a tax title or of redemption, and sending a memorandum to the assistant recorder, ten dollars.

For entry of a decree of registration and sending a memorandum to the assistant recorder, three-eighths of one per cent of the assessed value of the property registered, on the basis of the last assessment for municipal taxation, in addition to any sum payable under section ninety-nine of chapter one hundred and eighty-five, but in no one proceeding shall the amount payable under this paragraph be less than fifty nor more than two thousand dollars.

For the entry of an original certificate of title, including issue of one duplicate, twenty-five dollars.

For the entry of a new certificate of title, including issue of one duplicate, twenty-five dollars.

For filing and registering an adverse claim, twenty dollars.

For filing a sewer assessment, twenty dollars for each document and three dollars for each additional certificate affected.

For filing and registering a mortgage, fifteen dollars.

For entering statement of change of residence or post office address, including endorsing and attesting it on a duplicate certificate, ten dollars.

For entering any note in the entry book or in the registration book, ten dollars.

For every petition after the original registration, twenty-five dollars.

For a certified copy of any decree or registered instrument, the same fees as are provided for registers of deeds.

For the registration of all other instruments, whether single or in duplicate or triplicate, including entering, indexing and filing it and attesting the registration thereof, and also making and attesting a copy of memorandum on one instrument or a duplicate certificate when required, except as otherwise provided, twenty dollars, and twenty dollars for the making and attesting of a copy of memorandum on each additional certificate and duplicate. For noting the registration of any instrument on each other certificate and duplicate in addition to the first certificate duplicate, twenty dollars.

SECTION 13. Said chapter 262 is hereby amended by striking out section 40, as most recently amended by section 135 of chapter 684 of the acts of 1972, and inserting in place thereof the following section:-

Section 40. The fees of registers of the probate and family court department of the trial court, shall be as follows:

For the entry of a complaint for divorce or for affirming or annulling marriage, except as provided hereinafter for an action in equity, fifty dollars.

For the entry of an action for separate support, twenty-five dollars.

For the entry of a petition for the probate of a will, for administration on the estate of a person deceased intestate, of a petition for administration of goods not already administered, with the will annexed or otherwise, of a petition under section thirty-five or thirty-six of chapter two hundred and nine by a husband or wife for authority to convey land as if sole, of a petition for partition, of a petition for change of name, of a petition for leave to carry on the business of the deceased, and for filing a representation of insolvency and for the entry of a petition for the appointment of a special administrator, conservator, trustee, receiver of the estate of an absentee, or of a guardian except when the petitioner certifies that the ward's estate does not exceed one hundred dollars, twenty-five dollars.

For the entry of a petition for the sale of real or personal estate including sales of real estate subject to vested or contingent remainders and petitions for sale of real estate or removal or a petition for leave to lease real estate, of a petition for specific performance, of a petition for leave to mortgage real estate, of a petition in equity except such as relates to separate support, adoption, or the custody or support of minors, of a petition for release of dower or curtesy, of a petition for letters to a foreign guardian, of a petition for leave to compromise, and of a petition for leave to pay debts, except when the petitioner or accountant certifies that the estate does not exceed one thousand dollars in value, twenty-five dollars.

For the entry of a general petition except such as relates to adoption, or custody or support of minors, twenty-five dollars.

For the entry of petitions for the removal of a fiduciary, for amendment of record except such as relates to separate support, adoption, or the custody or support of minors, for discharge of surety, for new bond, for care of burial lot, for erection of a monument and for new inventory, fifteen dollars each.

For a certificate by the judge of a probate court to accompany notice of intention to marry of a divorced person, as provided by section twenty-two of chapter two hundred and seven, fifteen dollars.

For filing a statement of voluntary administration, fifteen dollars.

For the petition or application for allowance of an account

where the gross value accounted for in Schedule A of said account is one thousand dollars or less, no fee; where said gross value is more than one thousand dollars but less than ten thousand dollars, fifteen dollars a year, provided, however, that the fees shall not exceed sixty dollars, regardless of the time covered by the account; where said gross value is not more than one hundred thousand dollars and not less than ten thousand dollars, twenty-five dollars for each year or major fraction thereof covered by such account; where said gross value is more than five hundred thousand dollars and not less than one hundred thousand dollars, thirty-five dollars for each year or major fraction thereof covered by such account; where said gross value is more than five hundred thousand dollars and not less than one million dollars, fifty dollars for each year or major fraction thereof covered by such account; where said gross value is more than one million dollars, one hundred dollars for each year of major fraction thereof covered by such account.

For filing a motion for the framing of jury issues, fifty dollars.

For filing a will for safekeeping, twenty dollars; provided, that no additional fee shall be charged for filing a will in substitution for a will previously filed and withdrawn.

For filing a bond, fifteen dollars.

For issuance of an injunction or temporary restraining order, twenty-five dollars.

For entry of an action for the modification of a decree, fifty dollars.

SECTION 14. This act shall take effect upon its passage.

Approved July 16, 1980.

Chap. 540. AN ACT CONCERNING HOSPITAL CHARGES.

Be it enacted, etc., as follows:

SECTION 1. Purpose.

This act provides for a hospital charge control system to govern hospital charges in order to prevent hospital charges from rising above inflation while allowing reasonable hospital charge increases which reflect inflation, volume changes, and costs beyond the reasonable control of the individual hospital; and provides for a joint executive-legislative commission to develop recommendations for a uniform reimbursement system or systems for fiscal year 1982.

SECTION 2. Definition.

As used in this act, the following term shall have the following meaning:

"Regional Hospital Councils" shall be the regional associations of hospitals established by the Massachusetts Hospital Association in conformity with the boundaries of the Health Services Areas.

SECTION 3. The regulations of the commission promulgated for the fiscal year ending on September 30, 1980 pursuant to chapter 409 of the acts of 1976, as codified in 114.1 CMR 13.00 and as interpreted by the courts, shall apply during the fiscal year 1981, subject to the provision of this act and to such adjustments as are consistent with the purpose and provision of this act. Regulations may be promulgated pursuant to this act in accordance with the provisions of paragraph five of section two of chapter 30A of the General Laws and shall be promulgated without regard to the provisions of section 34A of chapter 6A of the General Laws. No provision of law inconsistent with this act shall affect the operation of this act; all provisions of law consistent with this act shall apply to the operation of this act.

SECTION 4.

1. The statewide limit on increases in gross patient service revenue, hereinafter referred to as GPSR, due to inflation for hospitals in fiscal year 1981 shall be as hereinafter provided.

2. The base amount for establishing a statewide limitation on the fiscal year 1981 GPSR increase of all hospitals due to inflation shall be the sum of the fiscal year 1980 GPSR for all hospitals, as approved by the commission; each hospital may submit a revised budget request for fiscal year 1980 GPSR in conjunction with the fiscal year 1981 budget submission called for in this act.

3. The statewide percentage limit of eleven and one-half per cent, an amount estimated to reflect inflation in fiscal year 1981, will be multiplied times the base dollar amount calculated pursuant to paragraph 2 of this section to establish the statewide dollar limit on increases in GPSR for fiscal year 1981 due to inflation.

4. Each hospital shall file a fiscal year 1981 budget submission in accordance with currently existing regulations and forms under 114.1 CMR 13.00, as they are updated in accordance with this act.

5. Each hospital shall identify the requested increase in GPSR in fiscal year 1981 above the amount identified in paragraph 2 of this section.

6. Each hospital shall identify the amount of a 1981 increase which is attributable to non-inflation items in the following manner.

(a) Each hospital shall identify the cost increases for fiscal year 1981 over fiscal year 1980 in accordance with 114.1 CMR 13.00 for changes in volume in costs beyond the reasonable

control of the hospital including approved determinations of need, in new and discontinued services, and in transfers of cost.

(b) The total amount of the cost identified in subpart (a) above is multiplied by a percentage calculated pursuant to the following formula:

The amount of financial requirements to be met by charge-pay and public assistance outpatients, including bad debts and free care, divided by the sum of capital and operating requirements pursuant to 114.1 CMR 13.00 as amended.

(c) The resulting dollar amount shall then be divided by the charge-pay and public assistance outpatient mix, net of free care and bad debts.

7. (a) The statewide total of the figure computed for each hospital in paragraph 6(c) of this section is the amount of increase in statewide GPSR which is attributable to non-inflation factors for fiscal year 1981.

(b) The statewide total identified in paragraph 7(a) of this section shall be subtracted from the statewide total of the increases in GPSR calculated pursuant to paragraph 5 of this section. The balance remaining shall be the 1981 statewide hospital requested increase in GPSR due to inflation.

8. If the amount determined in paragraph 7(b) of this section is less than the statewide dollar limit established pursuant to paragraph 3 of this section, the statewide limit is not exceeded and the hospital requests for GPSR increases due to inflation for fiscal year 1981 shall be approved.

9. If the amount determined in paragraph 7(b) of this section exceeds the statewide dollar limit established pursuant to paragraph 3 of this section, the commission shall take the following steps.

The commission will aggregate inflation increases for the hospitals within each health service area, as defined in 42 U.S.C. S.300. The commission will determine regional excess GPSR due to inflation in accordance with the formula set out in paragraphs 2 through 7 of this section. The Regional Hospital Councils will be identified and notified of their pro rata share of the state excess by the commission; the notice will be mailed by the commission no later than August 15, 1980. Hospitals in those regions shall co-operate with the Regional Hospital Councils to eliminate their excess by reducing their GPSR requests and submitting these reductions to the commission by September 15, 1980. If the hospitals in the regions with excess GPSR increase requests have not, by September 15, 1980, submitted to the commission the revised GPSR increase requests consistent with their pro rata share of the state excess, the commission will

reduce their GPSR requests in the following manner:

(a) Each region's excess will be multiplied by the ratio of the statewide excess divided by the aggregate excess of all of those regions which have excess.

(b) In those regions with excess, hospitals with inflation requests in excess of their individual inflation limit, as calculated in paragraphs 2 through 7 of this section, will be indentified.

(c) The amount by which each individual hospital exceeds its inflation limit will be divided by the sum of the amounts by which each individual hospital in the affected regions has exceeded its inflation limit.

(d) The proportion calculated in subparagraph (c) for each affected hospital will be multiplied by the regional excess derived in subparagraph (a) to determine the amount by which each affected hospital's GPSR increase request shall be reduced.

(e) The commission will reduce each GPSR increase request accordingly and incorporate this reduction in approvals by September 30, 1980.

(f) The sum of all regional reductions shall not exceed the state excess.

10. Hospitals shall submit their fiscal year 1981 budget requests by August 1, 1980. That deadline shall be extended if a hospital is unable to meet the deadline for reasons beyond the hospital's control or as otherwise allowed by the commission. The commission shall attempt to include late-filed requests in its calculations pursuant to this act. If a hospital does not file in accordance with this paragraph by August 1, 1980, the hospital GPSR increase due to inflation shall be limited to the product of the inflation factor of 11.5 per cent multiplied by the hospital fiscal year 1980 GPSR determined pursuant to the formula identified in paragraph 2 of this section.

11. Computation of allowable volume changes shall be on the basis of direct cost (60% fixed cost, 40% variable cost), with a 1% upside and 2% downside corridor for fiscal years 1979 to 1980, and a 0% upside and 2% downside corridor for fiscal years 1980 to 1981.

12. If the statewide GPSR increase requests due to inflation are less than the statewide maximum allowable increase, subsequent GPSR increases for fiscal year 1981 due to inflation shall be calculated as follows. Second submissions for GPSR increases due to inflation shall be approved only for hospitals within regions which requested increases at a percentage rate lower than the 11.5 per cent statewide maximum allowable increase, and only in an amount which will not cause the approved fiscal year 1981 statewide increase, due to inflation, to exceed the maximum

allowable statewide increase. The commission regulations, 114.1 CMR 13.00, shall apply to second submissions. No hospital may submit a second submission for GPSR increase due to inflation for fiscal year 1981 unless it has been approved by the appropriate Regional Hospital Council.

13. This act shall apply only to those hospitals with fiscal years which commence between September 1 and October 31, 1980.

14. The approved fiscal year 1981 GPSR for any individual hospital shall not be greater than the maximum GPSR allowed under 114.1 CMR 13.00 except that each hospital shall be allowed to request an approved fiscal year 1981 GPSR of at least the approved fiscal year 1980 GPSR as calculated in paragraph 2 of this section plus eleven and one-half per cent.

SECTION 5. A joint legislative-executive commission shall, from a review and study of prospective payment systems, uniform payment systems, and such other payment systems as the Commission may consider, develop a prospective payment system or systems for hospitals and issue a final report including cost implications and a schedule of events necessary for implementation for fiscal year 1982. The joint commission shall be composed of three members appointed by the President of the Senate; three members appointed by the Speaker of the House; three members appointed by the Governor from a list of nominees to be submitted by the Massachusetts Hospital Association to represent each of the following constituencies: teaching hospitals, community hospitals and hospital trustees; three members appointed by the Governor to represent consumers as defined in Public Law 93-641 as amended; the chairman of the Rate Setting Commission; and seven members to be appointed by the Governor to represent the following: The Department of Public Health, a non-profit hospital service corporation, the health insurance industry, purchasers of services, the Department of Public Welfare, and the Health Care Finance Administration and a public sector union of the Massachusetts AFL-CIO.

Approved July 16, 1980.

EMERGENCY LETTER - July 31, 1980 @ 11:10 A.M.

Chap. 541. AN ACT RELATIVE TO THE DETERMINATION OF NEED FOR CERTAIN MEDICAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 25B of chapter 111 of the General Laws, as most recently amended by section 2 of chapter 945 of the acts of 1977, is hereby further amended by inserting after the defini-

tion of "Health care facility" the following definition:-

"Health maintenance organization" or "HMO", a public or private organization as defined in section one of chapter one hundred and seventy-six G.

SECTION 2. Said section 25B of said chapter 111 is hereby further amended by striking out the definition of "Substantial capital expenditure", as amended by said section 2 of said chapter 945, and inserting in place thereof the following definition:-

"Substantial capital expenditure", (1) the expenditure, or obligation, of a sum of money for construction of a health care facility (A) which under generally accepted accounting principles is not properly chargeable as an expense of operation and maintenance, or is made by lease or comparable arrangement, and (B) 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 a determination of need under section twenty-five C; or (2) the obtaining by lease or comparable arrangement, by donation, or by transfer for less than fair market value of capital equipment or a facility or part thereof with a fair market value in excess of one hundred and fifty thousand dollars.

SECTION 3. Said section 25B of said chapter 111 is hereby further amended by striking out the definition of "Substantial change in service", as appearing in section 3 of chapter 776 of the acts of 1972, and inserting in place thereof the following definition:-

"Substantial change in services", a change in service as further defined by the department; provided, however, that the department shall not define a mere increase in staff by itself to constitute a substantial change in service; provided further, that each of the following shall be included within the department's definition of a substantial change in service: (i) the addition of a service which entails annual operating costs of seventy-five thousand dollars or greater; and (ii) any increase in bed capacity of more than four beds; and provided, further, that any decrease in the level of service offered by a nursing, convalescent or rest home which does not involve a capital expenditure shall not be subject to the provisions of sections twenty-five C to twenty-five G, inclusive.

SECTION 4. Section 25C of said chapter 111 is hereby amended by striking out the first paragraph, as amended by section 3 of chapter 945 of the acts of 1977, and inserting in place thereof the following paragraph:-

Notwithstanding any contrary provision of law, except as provided in section twenty-five C½, 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 service of such a facility unless there is a determination by the department that there is need therefor.

SECTION 5. The second paragraph of said section 25C of said chapter 111, as appearing in section 3 of chapter 776 of the acts of 1976, is hereby amended by inserting after the word "cost", in line 6, the words:- and shall take into account the special needs and circumstances of HMOs. The department shall also recognize the special needs and circumstances of projects that (1) are essential to the conduct of research in basic biomedical or health care delivery areas or to the training of health care personnel, (2) are unlikely to result in any increase in the clinical bed capacity or outpatient load capacity of the facility, and (3) are unlikely to cause an 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.

SECTION 6. Said section 25C of said chapter 111 is hereby further amended by inserting after the first paragraph the following two paragraphs:-

No person or agency of the commonwealth or any political subdivision thereof shall acquire for location in other than a health care facility a unit of medical, diagnostic, or therapeutic equipment with a fair market value in excess of one hundred and fifty thousand dollars unless the person or agency notifies the department of the person's or agency's intent to acquire such equipment and of the use that will be made of the equipment. Such notice shall be made in writing and shall be received by the department at least thirty days before contractual arrangements are entered into to acquire the equipment with respect to which notice is given. A determination by the department of need therefor shall be required for any such acquisition (i) if the notice required by this paragraph is not filed in accordance with the requirements of this paragraph, or if the department finds, within thirty days after receipt of notice in accordance with this paragraph, that the equipment will be used to provide services for inpatients of a hospital, other than on an occasional and irregular basis, and (ii) if the requirements for exemption under subsection (a) of section twenty-five C½ are not met. No person or agency which has acquired a unit of medical equipment subject to the requirements of this paragraph and for which a determination of need was not required under the preceding

sentence shall subsequently use such equipment to provide services to inpatients of a hospital other than on an occasional and irregular basis, unless the department determines that there is need therefor or unless an exemption is granted pursuant to subsection (a) of section twenty-five C½.

Except as provided in section twenty-five C½, no person or agency of the commonwealth or any political subdivision thereof shall acquire an existing health care facility unless the person or agency notifies the department of the person's or agency's intent to acquire such facility and of the services to be offered in the facility and its bed capacity. Such notice shall be made in writing and shall be received by the department at least thirty days before contractual arrangements are entered into to acquire the facility with respect to which the notice is given. A determination of need therefor shall be required for any such acquisition if the notice required by this paragraph is not filed in accordance with the requirements of this paragraph or if the department finds, within thirty days after receipt of notice in accordance with this paragraph, that the services or bed capacity of the facility will be changed in being acquired.

SECTION 7. The fifth paragraph of said section 25C of said chapter 111, as amended by section 4 of chapter 945 of the acts of 1977, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- If an application has not been acted upon by the department within such time limits, the applicant may, within a reasonable period of time, bring an action in the nature of mandamus in the superior court to require the department to act upon the application.

SECTION 8. Said chapter 111 is hereby further amended by inserting after section 25C the following section:-

Section 25C½. (a) Notwithstanding the provisions of section twenty-five C, no determination of need shall be required for any substantial capital expenditure for construction related to the provision of inpatient services or for any substantial change in inpatient services if, upon application pursuant to subsection (b), the department finds that such substantial capital expenditure or such substantial change in services will be made by or on behalf of one of the following:-

(1) An HMO or combination of HMOs if (A) the HMO or combination of HMOs has in the service area of the HMO or the service areas of the HMOs in combination an enrollment of at least fifty thousand individuals, (B) the facility in which the services will be provided is or will be geographically located so that the services will be reasonably accessible to such enrolled individuals; and (C) at least seventy-five per cent of the

patients who can reasonably be expected to receive such inpatient services will be individuals enrolled with such HMO or HMOs in the combination;

(2) A health facility if (A) the facility primarily provides or will provide inpatient services, (B) the facility is or will be controlled, directly or indirectly, by an HMO or a combination of HMOs which has in the service area of the HMO or service areas of the HMOs in the combination an enrollment of at least fifty thousand individuals, (C) the facility is or will be geographically located so that the services will be reasonably accessible to such enrolled individuals, and (D) at least seventy-five per cent of the patients who can reasonably be expected to receive such inpatient services will be individuals enrolled with such HMO or HMOs in the combination; or

(3) A health care facility or portion thereof if (A) the facility is or will be leased by an HMO or combination of HMOs which has in the service area of the HMO or the service areas of the HMOs in the combination an enrollment of at least fifty thousand individuals and on the date the application is submitted under subsection (b) at least fifteen years remain in the term of the lease, (B) the facility is or will be geographically located so that the services will be reasonably accessible to such enrolled individuals, and (C) at least seventy-five per cent of the patients who can reasonably be expected to receive such inpatient services will be individuals enrolled with such HMO or HMOs in the combination.

(b) Any HMO or health care facility seeking an exemption under subsection (a) shall submit to the department an application for such exemption in such form and manner as the department shall prescribe. The application shall contain such information as the department may require to determine if the requirements of subsection (a) are met and may be subject to such public review and comment as the department deems appropriate. In the case of a proposed health care facility or portion thereof which has not begun to provide services on the date an application is submitted under this paragraph with respect to such facility or portion, the facility or portion shall meet the applicable requirements of subsection (a) when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (a) are met. Any exemption granted under subsection (a) shall be a valid authorization for use only by the applicant of the health care facility or portion or medical equipment with respect to which the exemption is granted.

(c) In the case of a health care facility which is controlled

directly or indirectly by an HMO or combination of HMOs, no determination of need under section twenty-five C shall be required for a substantial capital expenditure solely related to the provision of outpatient services or for a substantial change in outpatient services; provided, however, that no such facility shall acquire a unit of medical, diagnostic, or therapeutic equipment with a fair market value in excess of one hundred and fifty thousand dollars which is intended to serve outpatients unless such facility notifies the department of the facility's intent to acquire such equipment and of the use that will be made of the equipment. Such notice shall be made in writing and shall be received by the department at least thirty days before contractual arrangements are entered into to acquire the equipment with respect to which notice is given. A determination by the department of need therefor shall be required for any such acquisition (i) if the notice required by this subsection is not filed in accordance with the requirements of this subsection, or if the department finds, within thirty days after receipt of notice in accordance with this subsection, that the equipment will be used to provide services for inpatients of a hospital, other than on an occasional and irregular basis, and (ii) if the requirements for exemption under subsection (a) are not met. No person or agency which has acquired a unit of medical equipment subject to the requirements of this paragraph and for which a determination of need was not required under the preceding sentence shall subsequently use such equipment to provide services to inpatients of a hospital, other than on an occasional and irregular basis, unless the department determines that there is need therefor or unless an exemption is granted pursuant to subsection (a).

SECTION 9. Section 25G of said chapter 111, as appearing in section 3 of chapter 776 of the acts of 1972, is hereby amended by inserting after the first sentence the following sentence:

Any violation of such provisions shall subject the violator to liability for a civil penalty of not more than one hundred dollars for each day of such violation assessable by the superior court.

SECTION 10. The second paragraph of section 51 of chapter 111, as appearing in section 1 of chapter 891 of the acts of 1967, is hereby amended by inserting after the word "location", in line 4, the words:- ; provided, however, that no such determination shall be required with respect to original licensure of any hospital or clinic which, pursuant to the provisions of section twenty-five C½, is exempt from the provisions of section twenty-five C.

SECTION 11. This act shall take effect on January first, nineteen hundred and eighty-one.

Approved July 16, 1980.

Chap. 542. AN ACT RELATIVE TO THE COST-OF-LIVING ADJUSTMENTS FOR RETIRED PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section 102 of chapter 32 of the General Laws is hereby amended by striking out paragraph (c), as appearing in section 1 of chapter 126 of the acts of 1976, and inserting in place thereof the following paragraph:-

(c) In any case where such former employee, spouse or other beneficiary is receiving an annual retirement allowance, pension or annuity which is seven thousand dollars or more exclusive of additional annuity obtained by special purchase under paragraph (g) of subdivision (1) of section twenty-two, or any similar law, the cost-of-living adjustment, shall be in an amount as determined by applying the percentum of change determined by the general court to the sum of seven thousand dollars. Beginning annually in July, nineteen hundred and eighty-one, whenever the cost-of-living adjustment pursuant to paragraph (a) indicates an increase or decrease in the cost-of-living of at least three per cent, the dollar amount of such increase or decrease as determined in the first sentence of this paragraph shall be added to or deducted from each retirement allowance, pension or annuity which is in excess of seven thousand dollars. The sum of the dollar amount of such cost-of-living adjustments, together with the amount of retirement allowance, pension, or annuity to which the cost-of-living percentum factor is applied and any amounts in excess of said seven thousand dollars shall become the fixed retirement allowance, pension or annuity for all future purposes including the application of subsequent cost-of living adjustments in future years; provided, however, that the limitations of this paragraph shall continue to apply.

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

Approved July 15, 1980.

Chap. 543. AN ACT INCREASING THE AMOUNT WHICH MAY BE BORROWED BY THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY FOR THE CONSTRUCTION OF A JAIL AND HOUSE OF CORRECTION IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 126 of the acts of 1977, as most recently amended by section 1A of chapter 568 of the acts of 1979, is

hereby further amended by striking out sections 1 and 2 and inserting in place thereof the following two sections:-

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 purpose 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, eight million eight hundred and fifty thousand dollars. Any sums received from the federal government or the commonwealth 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, eight million eight 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 2. This act shall take effect upon its passage.

Approved July 16, 1980.

Chap. 544. AN ACT EXEMPTING NONCOMMERCIAL VEHICLES FROM THE LICENSING REQUIREMENTS FOR USERS OF SPECIAL FUELS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith exempt noncommercial vehicles from the licensing requirements for users of special fuels, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The fourth paragraph of section 2 of chapter 64E of the General Laws, as appearing in section 64 of chapter 415 of the acts of 1976, is hereby amended by adding the following sentence:- The provisions of this paragraph shall not apply to noncommercial passenger vehicles having a fuel tank capacity of not more than twenty-five gallons, self-propelled campers or auto homes used exclusively for noncommercial purposes.

SECTION 2. This act shall be effective for the taxable year commencing January first, nineteen hundred and eighty.

Approved July 16, 1980.

Chap. 545. AN ACT RELATIVE TO THE DESCRIPTION OF CERTAIN LAND IN THE TOWN OF LANCASTER TO BE CONVEYED BY THE COMMONWEALTH TO ROBERT G. HARRINGTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the proper description of certain land to be conveyed by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 768 of the acts of 1979 is hereby amended by striking out, in the description, the words "BEGINNING at a point which is Sixty-Five (65) feet North 05° 40' 18" East and 33.13 feet S. 64° 29' 20" W. from a bounded mark H." and inserting in place thereof the words:- BEGINNING at a point which is Sixty-Five (65) feet North 05° 40' 18" East and 33.13 feet S. 64° 29' 20" E. from a bounded mark H.

SECTION 2. This act shall take effect as of November fifteenth, nineteen hundred and seventy-nine.

Approved July 16, 1980.

Chap. 546. AN ACT DIRECTING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF LOWELL TO THE NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF INTERIOR AND TO SAID CITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey certain park land of the

commonwealth to the National Park Service, United States Department of the Interior and the city of Lowell, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The department of environmental management is hereby authorized and directed to sell and convey, in the name and on behalf of the commonwealth in part to the National Park Service, United States Department of Interior and in part to the city of Lowell, by a quitclaim deed approved as to its form by the attorney general, and at a price to be negotiated between the parties, a certain parcel of land in said city of Lowell containing approximately ninety-nine thousand seven hundred and sixty-one square feet as described in Book 2264, Page 182, at the northern district registry of deeds in Middlesex county.

Said parcel is bounded and described as follows: Beginning at a point at the easterly corner of the land of City of Lowell being described, said point being the intersection of the northwesterly line of land now or formerly of Pellon Corporation which is shown as "Lot A" on a plan entitled "Plan of Land in Lowell, Mass., belonging to the City of Lowell to be conveyed to Pellon Corp., Scale 40 feet to an inch, June 23, 1969, Brooks, Jordan & Graves, 387 Middlesex St., Lowell, Mass." and recorded in Middlesex North District Registry of Deeds in Book of Plans 109, Plan 67, with the southwesterly line of land now or formerly of CWS Associates Trust which is shown as United Elastic Corp. on said plan, thence northwesterly by said land now or formerly of CWS Associates Trust 258.09 feet more or less to a point at land of Proprietors of the Locks and Canals on Merrimack River, thence southwesterly at an interior angle of 90° 13' 50" with the last described line 541.13 feet more or less by said land now or formerly of Proprietors of the Locks and Canals on Merrimack River to a point at land now or formerly of Pellon Corporation which is shown as "Lot A" on the above mentioned plan, thence southerly at an interior angle of 126° 39' 30" with the last described line 11.94 feet by said "Lot A" as shown on said plan to a point at other land of Pellon Corporation which is shown as "Lot B" on the above mentioned plan, thence easterly at an interior angle of 90° 00' 00" with the last described line 349.87 feet by said "Lot B" as shown on said plan to a point at said "Lot A" as shown on said plan, thence northeasterly at an interior angle of 169° 28' 15" with the last described line 94.76 feet by said "Lot A" as shown on said plan to an angle point at said "Lot A", thence northeasterly at an interior angle of 153° 12' 43" with the last described line 183.56 feet by said "Lot A" as shown on said plan to the point of beginning.

Approved July 16, 1980.

Chap. 547. AN ACT RELATIVE TO STRENGTHENING THE ABILITY OF SAVINGS BANKS TO COMPETE EQUALLY WITH OTHER FINANCIAL INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by inserting after section 22C the following section:-

Section 22D. Such corporation may receive from any person, subject to any limitations set forth in sections twenty-one and twenty-two, demand deposits in connection with any commercial, corporate, or business loan relationship upon such terms and conditions as such corporation may from time to time provide. Such corporation shall maintain the reserve balances required by the Federal Reserve Act (12 U.S.C. 461 (b)), and in the event such reserves are less than required by said act, such corporation shall not make any new loans or investments until the required reserves shall be restored. The commissioner may notify such corporation to make good such reserve and if it fails to do so within thirty days thereafter, he may certify to the Mutual Savings Central Fund, Inc., pursuant to section four of chapter forty-three of the acts of nineteen hundred and thirty-four, that such corporation is in an unsound or unsafe condition to transact the business for which it is organized and thereafter such fund shall have and may exercise all of the powers and privileges granted to it by said chapter forty-three.

Demand deposits shall be deposits for all purposes of this chapter; provided, however, that dividends on demand deposits may be paid only to the extent permitted to trust companies by applicable state or federal law or regulations; and provided, further, that paragraphs 2 and 3 of section twenty-six shall not be deemed to apply to such deposits.

SECTION 2. Said chapter 168 is hereby further amended by inserting after section 39 the following section:-

Section 39A. Such corporation may make such other commercial, corporate, and business loans not otherwise authorized under any other provision of this chapter or any other provision of law; provided, however, that not more than five per cent of the assets of such corporation shall be invested at any one time in loans made under this section; and provided, further, that such loans may only be made within the commonwealth or within seventy-five miles of the main office of such corporation.

SECTION 3. Said chapter 168 is hereby further amended by adding the following section:-

Section 81. With the written authority of the commissioner and subject to such conditions as he may approve, any such corpora-

tion may establish a trust department in which all business conducted by such department shall be segregated from its general business. The commissioner may grant or refuse such authority after such investigation of the affairs of the corporation as he deems expedient. The commissioner may impose a reasonable fee for such investigation in order to reimburse the commonwealth for the costs and expenses of such investigation. Any savings bank which has a trust department shall have all the powers and shall be subject to all the duties provided for in sections seventy to seventy-six, inclusive, of chapter one hundred and seventy-two.

SECTION 4. There is hereby established a special commission for the purpose of making an investigation and study of the structure, operation and powers of financial institutions chartered by the commonwealth. Said commission shall consist of three members of the senate, four members of the house of representatives, the commissioner of banks or his designee, and five persons to be appointed by the governor, one of whom shall be appointed from a list submitted by the Savings Banks Association of Massachusetts, one of whom shall be appointed from a list submitted by the Massachusetts Co-operative Bank League, one of whom shall be appointed from a list submitted by the Credit Union League of Massachusetts, and one of whom shall be an officer of a state-chartered trust company. Said commission shall, in the course of its investigation and study, consider the feasibility of establishing a unified banking industry or a unified thrift system in the commonwealth, the promotion and encouragement of savings in the commonwealth and such other related matters as the commission may deem relevant. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and eighty-one.

Approved July 16, 1980.

Chap. 548. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF SOUTHBOROUGH TO HELEN M. BRANDANO.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized, in the name and on behalf of the commonwealth, to sell and convey,

by a deed, approved as to form by the attorney general, to Helen M. Brandano of the town of Southborough, a certain parcel of land located in said town, shown as Parcel "B" on a plan entitled "Plan of Land Southboro, Mass." dated September 5, 1979, by Connorstone, Inc., Edward A. Stone, Registered Land Surveyor, containing one thousand three hundred twenty (1,320) square feet, more or less, according to said plan, and bounded and described as follows:-

Northerly, Northeasterly, and Easterly in three courses, all by the land of the commonwealth of Massachusetts, metropolitan district commission, in three courses as follows: 23,000 feet, 30.52 feet and 49.00 feet; and Southwesterly by lot 56A, as shown on said plan, 84.00 feet.

Said parcel shall be conveyed upon the condition that said land shall be used for residential purposes and shall revert to the commonwealth when such use ceases. The consideration for the conveyance shall be an amount equal to the fair market value of the land conveyed, as determined by the commission, but shall in no event be less than seven hundred and ninety-two dollars.

Approved July 16, 1980.

Chap. 549. AN ACT INCREASING THE TERM OF THE CLERK AND THE TREASURER OF THE SANDWICH WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 280 of the acts of 1947 is hereby amended by striking out, in line 25, the words "one year" and inserting in place thereof the words:- three years.

SECTION 2. The clerk of the Sandwich water district shall cause to be placed on the official ballot to be used at the annual district meeting to be held in the year nineteen hundred and eighty-one the following question:- "Shall an act passed by the general court in the year nineteen hundred and eighty, entitled 'An Act increasing the term of the clerk and the treasurer of the Sandwich water 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 July 16, 1980.

Chap. 550. AN ACT ADDING THE TOWN OF BELLINGHAM TO THE JURISDICTION OF THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the fourth paragraph under the caption "Norfolk", as appearing in section 4 of chapter 715 of the acts of 1960, and inserting in place thereof the following paragraph:-

The district court of Western Norfolk, held at Wrentham; Franklin, Walpole, Foxborough, Medway, Millis, Norfolk, Wrentham and Plainville.

SECTION 2. Said section 1 of said chapter 218 is hereby further amended by striking out the seventh paragraph under the caption "Worcester", as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:-

The third district court of Southern Worcester, held at Milford; Milford, Mendon, Upton, Bellingham and Hopedale.

SECTION 3. For the purpose of all civil and criminal matters related thereto, the town of Bellingham shall be considered to be within the jurisdiction of Worcester county.

Approved July 16, 1980.

Chap. 551. AN ACT AUTHORIZING A MUNICIPAL LIGHTING PLANT TO OBTAIN A LIEN UPON REAL ESTATE FOR NONPAYMENT OF GAS, ELECTRIC, OR STEAM SERVICE.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by inserting after section 58A the following five sections:-

Section 58B. If the rates and charges due to a municipal lighting plant, which accepts the provisions of this section and sections fifty-eight C to fifty-eight F, inclusive, by vote of its municipal light board, as defined in section sixty-nine B and, by its manager of municipal lighting, files a certificate of such acceptance in the proper registry of deeds, for supplying or providing for gas, electricity, steam, or services, or furnishing materials or appliances in connection therewith to or for any real estate at the request of the owner are not paid on or before their due date as established by the municipal light board, such rates and charges, together with interest due thereon and costs, including attorneys fees, relative thereto, shall be a lien upon such real estate. The registrar 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 of deeds.

Section 58C. Such lien shall take effect by operation of law

on the date immediately following the due date of such rate or charge and, unless dissolved by abatement or payment, shall continue until such rate or charge has been added to or committed as a tax under section fifty-eight D, 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 the case of a recorded alienation shall be at the expiration of two years from October first 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 fifty-eight D 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 gas, electricity, steam or services, which may be deemed advisable; provided, that after the termination of such a lien, no city, town or municipal lighting plant shall attempt to enforce, by shutting off the gas, electricity, steam or service, 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.

Section 58D. If a rate or charge for which a lien is in effect under section fifty-eight C 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 fifty-three of chapter fifty-nine, the manager of municipal lighting 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 part of such tax. If the property to which such tax or rate relates is tax exempt, such rate or charge shall be committed as the tax.

Section 58E. 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 fifty-eight D. Without limiting the generality of the foregoing, upon commitment as a tax or part of a tax under section fifty-eight D, 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.

Upon collection of such rates or charges certified to the assessors under section fifty-eight D, the city or town shall appropriate said amount solely for the purposes of the municipal lighting plant.

Section 58F. An owner of real estate aggrieved by a charge imposed thereon under sections fifty-eight B to fifty-eight E, inclusive, may apply for an abatement thereon by filing a petition with the municipal light board, as defined in section sixty-nine B, 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 finds that such charge is more than is properly due, a reasonable abatement shall be made.

Approved July 16, 1980.

Chap. 552. AN ACT PLACING THE EMERGENCY FINANCE BOARD WITHIN THE GENERAL LAWS OF THE COMMONWEALTH AND INCREASING THE COMPENSATION TO THE MEMBERS OF SAID BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after section 46, under the caption EMERGENCY FINANCE BOARD, the following section:-

Section 47. There shall be in the department of the state treasurer, subject to his control only to the extent of his membership therein, an emergency finance board, hereinafter called the board, consisting of the state treasurer, the director of accounts, and three citizens of the commonwealth to be appointed by the governor to serve for three years. The governor shall, from time to time, designate one of the five members as chairman, may remove any appointive member, and shall fill any vacancy in the appointive membership of the board for the unexpired term. If the state treasurer or said director is unable by reason of absence or disability to perform his duties as such member, said state treasurer, or the commissioner of revenue, in the case of said director, may, by a writing filed with the board, designate an officer or employee in his department who shall, without additional compensation therefor, perform such duties during such absence or disability. The action of a majority of the members shall constitute action of the board; and

whenever any action by the board is required to be in writing, such writing shall be sufficient when signed by a majority of the members. Each appointive member shall receive as compensation for each day's attendance at board meetings, when acting as a member of the board as provided by law, the sum of seventy-five dollars; provided, that the total amount paid to such member for such compensation shall not exceed seven thousand dollars in any fiscal year. The chairman of the board, shall receive as compensation for each day's attendance at board meetings the sum of one hundred dollars; provided, further, that the total amount paid shall not exceed ten thousand dollars in any fiscal year. The state treasurer, the director of accounts and the assistant shall each receive as compensation for each day's attendance at board meetings, when acting as a member of the board or attending as provided by law, the sum of seventy-five dollars; provided, that the total amount paid to each of them for such compensation shall not exceed seven thousand dollars in any fiscal year. The commissioner of revenue shall, upon request of the board, assign to it such clerical assistance as it may need from the personnel of the department of revenue, and any expense incurred by said department by reason of such assignment shall be deemed an expense of the board.

SECTION 2. All monies heretofore appropriated for the emergency finance board, established by section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, are hereby transferred to, and shall be available for expenditure by the emergency finance board established by section one of this act.

SECTION 3. Upon the effective date of this act, the emergency finance board, established by section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, is hereby abolished and all the powers and duties of said board shall vest in the board established under section one of this act.

The board established by said section one shall be in all respects the successor to the board established under said chapter forty-nine.

All proceedings begun before the emergency finance board established under said chapter forty-nine shall continue unabated and remain in force notwithstanding the passage of this act and shall be completed before the emergency finance board established under section one of this act.

All rules and regulations duly made by the emergency finance board, established by said chapter forty-nine, in effect upon the effective date of this act, shall continue in effect until amended or repealed in accordnace with law.

All employees of the emergency finance board, established by said chapter forty-nine on the effective date of this act, are hereby transferred to the board established by section one of this act without loss of seniority, civil service, retirement or other rights.

SECTION 4. The appointive members of the emergency finance board, established by section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, shall serve as members of the emergency finance board, established by section one of this act, until the expiration of the term for which they were appointed. Upon the expiration of the term of a member, his successor shall be appointed as provided in section one of this act.

Approved July 16, 1980.

Chap. 553. AN ACT ESTABLISHING THE WOBURN DEVELOPMENT AND FINANCIAL CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Unless the context otherwise requires, the following words shall have the following meanings:-

"Central business district", that area in the city of Woburn within the boundaries of the following streets and zoning lines:

Beginning at the corner of Green street and Main street; thence running in an easterly direction along Green street to Prospect street; thence turning and running northerly along Prospect street to High street; thence turning and running northeasterly to the line shown on the zoning map of the city of Woburn which line demarks an R-2 zoning district from a B-3 zoning district; thence turning and running in a northerly direction by and along said aforementioned zoning line to Manning street; thence turning and running westerly by and along a portion of Manning street, a portion of Main street and a portion of Kilby street to the line on the zoning map of the city of Woburn demarking an R-2 zoning district from an S-1/35 zoning district; thence turning and running southerly along said aforementioned zoning line to Franklin street; thence turning and running southwesterly by and along Franklin street to Winn street; thence turning and running southerly by and along Winn street to Harrison avenue; thence turning and running westerly by Harrison avenue to a line shown on the zoning map of the city of Woburn demarking a B-2 zoning district from a S-1 zoning district; thence turning and running southerly by and along said aforementioned zoning line to Myrtle street; thence turning and running easterly by and along Myrtle street to Main

street; thence turning and running southerly by and along Main street to Green street, and the point of beginning.

"Corporation", Woburn Development Corporation, established by section three.

"Financial Institution", any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

"Incorporators", mayor of the city of Woburn; Woburn Five Cent Savings Bank; Woburn National Bank; Woburn Bank and Trust Company; and Tanners National Bank.

SECTION 2. It is hereby declared that unused and underutilized areas and structures exist in parts of the city of Woburn and more particularly within the Central Business District; that each such area and structure constitutes serious developmental problems, injurious to the health, morals and welfare of the residents of said city; that each such area and structure constitutes and economic liability, substantially impairs or arrests the sound growth of said city, and retards the economic well-being of the city and commonwealth; that each such area and structure decreases the value of private investments and threatens the sources of public revenue; that redevelopment of each such area and structure in accordance with an economic development plan for the elimination of such substandard conditions and prevention of their recurrence is necessary to retain existing commercial enterprises, attract new commercial development and promote the sound economic growth of said city; that the existence of such unused and underutilized areas and structures makes persons unwilling to do business in said city; that the underutilized and unused areas and structures 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 enterprises without the aids herein provided.

It is hereby further found and declared that there exists in the city of Woburn a condition of substantial 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 physicial development of said city and adversely affects the welfare and prosperity of the people; that unemployment and underemployment have been caused in substantial part by commercial companies moving from said city, that many existing commercial facilities within said 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 said city; that the commercial sector of the economy provides one of the best opportunities for jobs at higher wages for the inhabitants of said city; that new commercial sites are required to attract and house new commercial development, and to retain existing commercial operations in need of expansion space that the unaided efforts of private industry have not provided and cannot provide the necessary commercial sites within the urban environment due to the problems encountered, in the unavailability of private capital for development and the inability of private enterprises alone to plan, finance and coordinate commercial development projects.

It is further found and declared that the conditions which reference is hereinabove made in the Central Business District are in part attributable to commerical development which has taken place and continues to take place in the northerly and westerly sections of Woburn by and along, and in the general area of the intersection of, state highway route 128 and interstate highway route 93, whereby residents of Woburn and surrounding cities and towns may more readily shop at commercial centers outside of the Central Business District; that the rehabilitation, refurbishing and redevelopment of the Central Business District along consistent lines and a consistent pattern would serve to improve the commercial climate of the Central Business District by attracting residents and others to said district; that it is in the best interests of the city of Woburn and its citizens and the commonwealth that the Central Business District be a strong, vital and viable commercial force within the said city.

SECTION 3. The shareholders of the corporation are hereby constituted a body corporate under the name of the Woburn Development Corporation. Said Corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, sections eighteen, twenty-seven, thirty-one, thirty-three, and thirty-four of chapter one hundred and fifty-six B and section four of chapter one hundred and eighty of the General Laws, except insofar as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

SECTION 4. The principal office of the corporation shall be located in the city of Woburn.

SECTION 5. The purposes of said Corporation shall be to correct the conditions found to exist in the city of Woburn set forth in section two, promote the common good and general welfare of said city, improve the living standards of the citizens

thereof by fostering the improvement of their employment opportunities, solicit, encourage and induce business organizations and educational institutions to locate in said city. An applicant for a loan from said Corporation shall be required to submit a plan and renderings to the executive committee of said Corporation, which executive committee is hereinafter defined, which plan and rendering shall be referred to a design review committee which shall consist of one member elected from the executive committee of said Corporation, one member being the chairman of the Woburn division of the North Suburban Chamber of Commerce, one member being the person holding the office of Federal Funds Coordinator/Community Development Office in said city, and one member selected by the executive committee of said Corporation from the community at large. After review of the plans and renderings submitted to it, said design review committee shall issue a recommendation to the executive committee of said Corporation. Said Corporation shall assist and promote the development and expansion of business activity and business organizations in said city, and, for the first five years of its existence, said Corporation shall confine its activities exclusively to the rehabilitation and restoration of, the central business district, as hereinabove defined.

In furtherance of said purposes and in addition to the powers conferred on said Corporation under the provisions of section three, said Corporation shall, subject to the restrictions and limitations hereinafter contained, have the following powers:

(a) To accept, acquire other than by eminent domain, receive, and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree, or otherwise, for any of its objects and purposes, any property, both real and personal, from any source, including grants, loans, or advances for or in aid of the purposes of said Corporation from any federal agency or agency of the commonwealth or any political subdivision thereof;

(b) To sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of, any such property, both real and personal, that the objects and purposes of said Corporation may require, subject to such limitations as may be prescribed by law;

(c) To borrow money, and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of said Corporation for monies borrowed or in payment for property acquired or for any of the other purposes of said Corporation, and to secure the payment of any such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in

regard to all or any part of the property, rights or privileges of said Corporation, whether now owned or hereafter to be acquired;

(d) To make loans to any person, firm, corporation, joint stock, company, association or trust located or doing business in the city of Woburn for the purpose of promoting and developing business activities of all kinds, provided such business activities tend to increase employment opportunities within said city;

(e) To acquire improved and unimproved real estate for the purpose of constructing retail, commercial and residential or other business establishments thereon, or for the purpose of disposing of such real estate to others for the construction of retail, commercial or other business establishments as the objects and purposes of said Corporation may require;

(f) To acquire, construct, reconstruct, alter, maintain, sell, convey, transfer, mortgage, pledge, or otherwise dispose of retail, commercial, industrial, residential or business establishments as the objects and purposes of said Corporation may require;

(g) To acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the bonds, debentures, notes, or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and while the owner or holder thereof, to exercise all the rights, powers, and privileges of ownership;

(h) To co-operate with and avail itself of the facilities and programs including, but not limited to those of the Small Business Administration of the United States, the Massachusetts Business Development Corporation, the department of commerce and development, the United States Department of Commerce, the New England Regional Commission, and any similar governmental agencies; provided that at no time shall the Woburn Development Corporation apply for governmental funds in competition with any department, agency, or instrumentality of the city of Woburn without the express written consent of the mayor of said city.

(i) To receive stocks, bonds, donations, gifts and otherwise raise money for the above outlined purposes;

(j) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of purposes of said Corporation;

(k) To employ consultants;

(l) To promote the city of Woburn as a regional retail, commercial, industrial, professional and financial center; and

(m) To do all things and acts necessary or convenient to carry out the powers expressly granted in this act; provided,

however, that the purposes shall not include the right to apply for a license to sell alcholic beverages; and that no part of the funds, property or net earnings of said Corporation shall inure to the benefit of any member, stockholder, other than the city of Woburn, officer of said Corporation or any private individual, and no member, officer of said Corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of said Corporation except to the extent that stockholders are entitled to participate in the distribution of said Corporation's assets upon dissolution under section nineteen, nor shall said Corporation allow any of its property to be used directly or indirectly in carrying on of propaganda, or otherwise attempting to influence legislation. Said Corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office or publish or distribute any statements with respect thereto. Notwithstanding any other provision herein contained, neither the members, directors, officers, stockholders, nor said Corporation shall participate in any of the "prohibited transactions" as defined in Section 503 of the Internal Revenue Code, as the same may, from time to time, be amended, nor shall said Corporation accumulate income or engage in any activities if the accumulation of income or the activities so engaged in are or would be within the prohibitions of Section 504 of the Internal Revenue Code as the same may be, from time to time, amended, nor shall the corporation be operated at any time for the primary and sole purpose of carrying on a trade or business for profit.

SECTION 6. The authorized capital stock of said Corporation shall consist of forty thousand shares of non-dividend-paying common capital stock with a par value of fifty dollars each. The shareholders may at any time by majority vote issue any part or all of said stock upon such terms as they shall determine or by majority vote the shareholders may delegate to the directors the power of by majority vote to issue any part or all of said stock upon such terms as they shall determine. An individual, corporation, estate, trust, company or partnership shall be entitled to purchase the same from said Corporation from time to time, as long as the latter has in its treasury authorized common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships. None of the earnings or profits of said Corporation shall inure to or be paid to the stockholders of common capital stock as dividends or profits in any form.

SECTION 7. Notwithstanding any rule at common law or any authorization, limitation or any such other provision of any general or special law, or any provision in their respective

charters, agreements of associations, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within the commonwealth, including without implied limitation any electric or gas company as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of the General Laws, financial institutions, trustees and the city of Woburn are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any stocks, bonds, securities, or other evidence of indebtedness of said Corporation and to make contribution to said Corporation, all without the approval of any regulatory authority of the commonwealth.

Any contribution made under this section to said Corporation shall be in addition to any contributions authorized by section twelve C of chapter one hundred and fifty-five of the General Laws, and by other provisions of general or special law.

SECTION 8. In order to carry out the purposes and powers of said Corporation, the city of Woburn may raise and appropriate, or may borrow in aid of said Corporation, such sums as may be necessary to make a loan or grant to said Corporation.

SECTION 9. The shareholders of said Corporation shall have the powers to elect directors as provided in section ten and to exercise such other powers of said Corporation as may be conferred on the shareholders by the by-laws.

SECTION 10. The board of directors of said Corporation shall be elected annually and shall have the powers of said Corporation: (a) at its option, to name an advisory board; (b) to set a fiscal year for the operation of said Corporation; and (c) to make, amend, or repeal the by-laws in whole or in part.

SECTION 11. The business and affairs of said Corporation shall be managed and conducted by an executive committee which shall have full power to commit the board of directors and said Corporation. Said committee shall be elected annually by and from the board of directors, consisting of seven voting members, of which one shall be mayor of the city of Woburn, four shall be elected from among the representatives of those participating financial institutions who have bought or subscribed shares in said Corporation in the amount of, not less than, one-twentieth of one per cent of their Woburn regular savings and checking account deposits, and the remaining two elected at large by and from the board of directors, and one non-voting member who shall be the person holding the office of Federal Funds Coordinator in the city government of the city of Woburn. In the election of the executive board, each director shall have one vote. The board of directors shall consist of twenty-five mem-

bers of which one shall be the mayor of said city, one shall be the chairman of the Woburn division of the North Suburban Chamber of Commerce, and four shall be representatives from each of the financial institutions, which were among the incorporators of said Corporation; any financial institution which shall contribute to the capital of said Corporation subsequent to the passage of this act shall be entitled to be represented on the board of directors. The remaining nineteen directors shall be elected by the shareholders, casting one vote on a noncumulative basis per share owned. There shall be elected by the board of directors and from the executive board, a president, vice president, treasurer, and secretary/clerk.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the willful misconduct of such directors and officers.

SECTION 12. The corporation shall not deposit any of its funds in any banking institution unless such institution has been designated as a depository by a vote of a majority of the directors present at an authorized meeting of the board of directors, exclusive of any director who is an officer or director of the depository so designated. Said Corporation shall not receive money on deposit.

SECTION 13. Said Corporation shall make reports of its condition not less than annually to the state secretary, which report shall be published in a newspaper of general circulation in the city of Woburn within ninety days of the close of said Corporation's fiscal year. The state secretary shall make copies of such reports available to the commissioner of insurance and to the commissioner of banks, and said Corporation shall also furnish such other information as may, from time to time, be required by the state secretary.

SECTION 14. The first meeting of said Corporation shall be called by a notice signed by three or more of the incorporators, stating the time, place and purpose of the meeting, a copy of which notice shall be mailed or delivered to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting, the incorporators shall organize by the choice, by ballot, of a temporary clerk, by the adoption of by-laws, by the election of ballot of directors and by action upon such matters within the powers of said Corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings until the

clerk has been chosen and sworn. A majority of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the state secretary, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said Corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may, from time to time, be issued.

SECTION 15. Said Corporation shall not be subject to any of the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income which shall be enacted by the commonwealth. The securities, evidences of indebtedness, and share of stock issued by said Corporation, and income therefrom, shall at all times be free from taxation with the commonwealth.

Any stockholder, or holder of any securities, evidences of indebtedness, or shares of the capital stock of said Corporation who realizes a loss from the sale, redemption, or other disposition of any securities, evidences of indebtedness or shares of the capital stock of said Corporation, including any such loss realized on a partial or complete liquidation of said Corporation, and who is not entitled to deduct such loss in computing any of such stockholder's or holder's taxes to the commonwealth, shall be entitled to credit against any taxes subsequently becoming due to the commonwealth from such stockholders or other holders, a percentage of such loss equivalent to the highest rate of tax assessed for the year in which the loss occurs upon mercantile and business corporations as provided for in section two of chapter sixty-three of the General Laws.

SECTION 16. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the shares of capital stock, bonds, debentures, notes, evidences of indebtedness, or any other securities of said Corporation.

SECTION 17. This charter may be amended by the votes of the shareholders, and such amendments shall require approval by the affirmative vote of two-thirds of the shareholders entitled to vote; provided that no amendment of this charter which is inconsistent with the general purposes expressed herein or which eliminates or curtails the right of the state secretary to examine said Corporation or the obligation of said Corporation to make reports as provided in section thirteen shall be made without amendment of this act; and provided further, that no amendment of this charter which affects a stockholder's voting right shall be made without the consent of each stockholder affected by such an amendment.

Within thirty days after any meeting at which amendments of this charter have been adopted, articles of amendment sworn to by the president, treasurer, and a majority of the directors of said Corporation setting forth such amendment and the adoption thereof, shall be submitted to the state secretary, who shall examine them, and if he finds that they conform to requirements of the act, he shall so certify and endorse his approval thereon. Thereupon, the articles of amendment shall be filed in the office of the state secretary and no such amendment shall take effect until such articles of amendment shall have been filed as aforesaid.

Prior to or within sixty days after the effective date of any legislative amendment to this charter, the approval of such amendment shall be voted on by the stockholders of said Corporation at a meeting duly called for the purpose. If such amendment is not approved by the affirmative vote of two-thirds of the stockholders entitled to vote, any stockholder who has voted against the approval of such amendment if entitled to vote, or, if not entitled to vote, has registered his disappoval in writing with said Corporation at, or before said meeting, may, within thirty days after said meeting, make a written demand upon said Corporation for payment for his stock.

SECTION 18. The period of duration of said Corporation shall be fifty years, subject, however, to the right of the members to dissolve said Corporation prior to the expiration of said period as provided in section nineteen.

SECTION 19. Said Corporation may, upon the affirmative vote of two-thirds of its members petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section fifty of chapter one hundred and fifty-five of the General Laws. Upon any dissolution of said Corporation the stockholders, if any, shall be paid on a pro rata basis that percentage of the assets of said Corporation in excess of the obligations of said Corporation which the amounts paid into said Corporation for all stock bears to sum of (1) such amounts paid into said Corporation for all the stock, and (2) the amounts of all donations made to said Corporation; provided, that in no event shall a stockholder be paid upon such dissolution more than the amount paid into said Corporation for his stock.

SECTION 20. If said Corporation shall fail to commence operations within three years from the effective date of this act, then this act shall be null and void.

SECTION 21. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions.

Approved July 16, 1980.

Chap. 554. AN ACT RELATIVE TO THE UNIT OF MEASURE FOR THE SALE OF GAS.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 111, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 111. The unit of measure for the sale of gas by meter shall be the cubic foot, containing sixty-two and two thousand nine hundred and ninety-three ten-thousandths pounds avoirdupois weight of air-free distilled water at sixty degrees Fahrenheit when weighed in dry air at the same temperature and at a barometric pressure of thirty inches of mercury, or a thermal unit of measure, such as the "therm" or "British Thermal Unit", as the department shall determine and approve.

Approved July 16, 1980.

Chap. 555. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF MIDDLESEX 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 ending June thirtieth, nineteen hundred and eighty-one.

MIDDLESEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$1,501,565 00
2.	For reduction of county debt		1,552,000 00
3.	For county commissioners, salaries and expenses		693,714 61
	1. Personal services	$636,864 61	
	2. Contractual services	51,250 00	
	4. Current charges and obligations	5,600 00	
4.	For transportation and expenses of county and acting commissioners		1,500 00

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$258,752 16
	1. Personal services	$198,792 16	
	2. Contractual services	30,260 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	7,000 00	
	5. Equipment	17,700 00	
7.	For sheriff, salary and expenses		26,776 00
	1. Personal services	26,576 00	
	4. Current charges and obligations	200 00	
8.	For registry of deeds, salaries and expenses		
	Northern District		457,248 90
	1. Personal services	430,048 90	
	2. Contractual services	21,000 00	
	3. Supplies and materials	1,200 00	
	4. Current charges and obligations	5,000 00	
	Southern District		1,983,085 05
	1. Personal services	1,874,567 05	
	2. Contractual services	52,910 00	
	3. Supplies and materials	17,600 00	
	4. Current charges and obligations	30,150.00	
	5. Equipment	7,858 00	
10.	For highways, including state highways, bridges and land damages		1,018,391 93
	1. Personal services	995,791 93	
	2. Contractual services	10,000 00	
	3. Supplies and materials	12,000 00	
	4. Current charges and obligations	600 00	
15.	For medical examiners		200,000 00
16.	For jail and house of correction, maintenance and operation		4,683,958 59
	1. Personal services	3,565,758 59	
	2. Contractual services	217,000 00	
	3. Supplies and materials	844,600 00	
	4. Current charges and obligations	48,100 00	
	5. Equipment	8,500 00	
18.	For court houses and registry buildings, maintenance and operation		5,157,643 60
	1. Personal services	3,082,643 60	

Item		Subtotal	Total
2.	Contractual services	$1,550,000 00	
3.	Supplies and materials	310,000 00	
4.	Current charges and obligations	215,000 00	
20.	For agricultural school or county co-operative extension service		$389,082 30
1.	Personal services	346,783 55	
2.	Contractual services	33,000 00	
3.	Supplies and materials	6,000 00	
4.	Current charges and obligations	1,000 00	
5.	Equipment	2,298 75	
24.	For noncontributory pensions		500,000 00
25.	For contributory retirement system and supervisory expenses		1,185,298 00
26.	For miscellaneous and contingent expenses		426,850 00
27.	For unpaid bills of previous years		423,750 00
28.	For reserve fund		62,500 00
39.	For group insurance		1,369,000 00
45.	For centralized purchasing department		189,165 94
	Total amount of appropriations		$22,080,282 08
	Less estimated amount available for reduction of county tax		1,549,200 00
	And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$20,531,082 08

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		
2.	For reduction of county debt	$1,143,000 00

SECTION 2. Notwithstanding any contrary provision of law, the county commissioners of Middlesex county are hereby authorized to appropriate from any available funds and, after such appropriation, the treasurer of said county shall pay to John P. Grasso the sum of one thousand and forty-eight dollars for wages earned during the months of April and May, nineteen hundred and seventy-nine as an employee of said county.

SECTION 3. This act shall take effect as of July first, nineteen hundred and eighty.

Approved July 16, 1980.

Chap. 556. AN ACT ESTABLISHING THE GREATER LAWRENCE SANITARY DISTRICT EMPLOYEES' RETIREMENT SYSTEM AND THE BLUE HILLS REGIONAL VOCATIONAL SCHOOL EMPLOYEES' RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The paragraph defining "Employee" in section 1 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 487 of the acts of 1978, is hereby further amended by adding the following sentence:- "Employee", as applied to persons whose regular compensation is paid by the Greater Lawrence Sanitary District, shall mean any person, whether employed for a stated term or otherwise, who is engaged in duties which require that his time be devoted to the service of the district in each year during the ordinary working hours of regular and permanent employees.

SECTION 2. Said paragraph defining "Employee" in said section 1 of said chapter 32, is hereby further amended by adding the following sentence:- "Employee" as applied to persons whose regular compensation is paid by the Blue Hills Regional Vocational School System, shall mean any person, whether employed for a stated term or otherwise, who is engaged in duties which require that his time be devoted to the service of the system in each year during the ordinary working hours of regular and permanent employees.

SECTION 3. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "Member", as most recently amended by section 2 of chapter 487 of the acts of 1978, and inserting in place thereof the following paragraph:-

"Member", any employee included in the state employees' retirement system, in the teachers' retirement system or in any county, city, town, the Massachusetts Turnpike Authority, the Massachusetts Housing Finance Agency, or the Massachusetts Port Authority contributory retirement system, the Massachusetts Bay Transportation Authority police retirement system, the Blue Hills Regional Vocational school retirement system and the Greater Lawrence Sanitary District Employees' retirement system, established under the provisions of sections one to twenty-eight, inclusive, or under corresponding provisions of earlier laws, and if the context so requires, any member of any contributory retirement system established under the provisions of any special law.

SECTION 4. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "Political

subdivision" as most recently amended by section 3 of said chapter 487, and inserting in place thereof the following paragraph:-

"Political subdivision", the metropolitan district commission or any county, hospital district, city, town, district or housing authority, established under the provisions of section five of chapter one hundred and twenty-one B, the Massachusetts Turnpike Authority, the Massachusetts Parking Authority, the Old Colony Planning Council, the Massachusetts Bay Transportation Authority, the Massachusetts State College Building Authority, the University of Lowell Building Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, the Greater Lawrence Sanitary District, the Blue Hills Regional Vocational School system or any other public unit in the commonwealth.

SECTION 5. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "System", as most recently amended by section 4 of said chapter 487, and inserting in place thereof the following paragraph:-

"System", the state employees' retirement system, the teachers' retirement system, the Massachusetts Turnpike Authority employees' retirement system, the Massachusetts Housing Finance Agency employees' retirement system, the Massachusetts Bay Transportation Authority police retirement system, the Massachusetts Port Authority employees' retirement system, the Greater Lawrence Sanitary District employees' retirement system, the Blue Hills Regional Vocational School Retirement System or any county, city, or town contributory retirement system, as the case may be, established under the provisions of sections one to twenty-eight, inclusive, or under corresponding provisions of earlier laws and subject thereto, in which any member is included, and if the context so requires, any contributory retirement system established for the employees of any governmental unit under the provisions of any special law.

SECTION 6. Section 2 of said chapter 32 is hereby amended by striking out the fourth sentence, as most recently amended by section 5 of said chapter 487, and inserting in place thereof the following sentence:- Subject to said sections, an employee of the commonwealth or of the metropolitan district commission or of the Massachusetts State College Building Authority or of the University of Lowell Building Authority or of the Massachusetts Parking Authority or of the Old Colony Planning Council or of the Boston Arena Authority shall be included in the state employees' retirement system, except that a register of probate shall be included in the system of the county in which he is elected, a teacher as defined in section one shall be included in

the teachers retirement system, an employee of a county or of a hospital district, an employee of a mosquito control district or a mosquito control project, located within a county shall be included in the system of such county, an employee of a city or town other than a teacher as defined in section one shall be included in the system of or which pertains to the municipality by which he is employed, an employee of the Massachusetts Turnpike Authority shall be included in the Massachusetts Turnpike Authority employees' retirement system, an employee of the police department of the Massachusetts Bay Transportation Authority shall be included in the Massachusetts Bay Transportation Authority police retirement system, an employee of the Massachusetts Housing Finance Agency shall be included in the Massachusetts Housing Finance Agency employees' retirement system, an employee of the Massachusetts Port Authority shall be included in the Massachusetts Port Authority employees' retirement system, an employee of the Greater Lawrence Sanitary District shall be included in the Greater Lawrence Sanitary District employees' retirement system an employee of the Blue Hills Regional Vocational School System shall be included in the Blue Hills Regional Vocational School employees Retirement Sys tem and an employee of a district shall be included in a system as provided for in subdivision (4) of section twenty-eight, except that in the case of a district which comprises cities and towns located in more than one county, or in the case of a district in which the cities and towns comprising such district may vary from time to time, the employees of such district may become members of the state employees' retirement system, subject to the provisions of subdivision (4) of section twenty-eight.

SECTION 7. Paragraph (b) of subdivision (4) of section 7 of said chapter 32 is hereby amended by striking out the last sentence, as most recently amended by section 6 of said chapter 487, and inserting in place thereof the following sentence:- This subdivision shall not be applicable to the Massachusetts Turnpike Authority or its employees' retirement system to the Massachusetts Housing Finance Agency or its employees' retirement system, to the Massachusetts Port Authority or its employees' retirement system, the Blue Hills Regional Vocational school retirement system, or to the Greater Lawrence Sanitary District.

SECTION 8. Subdivision (3) of section 11 of said chapter 32 is hereby amended by striking out the second paragraph, as most recently amended by section 7 of said chapter 487, and inserting in place thereof the following paragraph:-

No check which has been issued by the state treasurer in

payment of any obligation of the state board of retirement or the teachers' retirement board under authority of sections one to twenty-eight, inclusive, or which is issued by any county, city or town treasurer, by the secretary-treasurer of the Massachusetts Turnpike Authority, by the treasurer of the Massachusetts Housing Finance Agency, or by the secretary-treasurer of the Massachusetts Port Authority, Greater Lawrence Sanitary District or the Blue Hills Regional Vocational School System in payment of any obligation of any retirement system established under this chapter shall be payable later than six years after its date, and the obligation of the commonwealth or of any county, city, town, the Massachusetts Turnpike Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, Greater Lawrence Sanitary District or the Blue Hills Regional Vocational School System represented by any such check shall not be enforceable if such check is not presented for payment within such period. The amount represented by such check shall thereupon be tranferred to the pension fund of the retirement system under whose authority the check was originally issued.

SECTION 9. Paragraph (a) of subdivision (1) of section 14 of said chapter 32 is hereby amended by striking out the first paragraph, as most recently amended by section 8 of said chapter 487, and inserting in place thereof the following paragraph:-

Any employee who was a member in service at the time of sustaining an injury or undergoing a hazard on account of which he becomes entitled to payments under the provisions of chapter one hundred and fifty-two shall, during the period while he is receiving weekly payments for total incapacity under the provisions of sections sixty-nine to seventy-five, inclusive, of such chapter or of section thirty-four, thirty-four A, thirty-five A or thirty-six of such chapter in the case of an employee of the Massachusetts Turnpike Authority, the Massachusetts Port Authority, the Greater Lawrence Sanitary District or the Blue Hills Regional Vocational School system, or during any period, determined as set forth in paragraph (c), represented by the allocation of the amount of any lump sum settlement payable directly to him under the provisions of section forty-eight of such chapter in lieu of such weekly payments, and also in either event during a further period of thirty days, retain all the rights of a member in service while he is living, unless and until a retirement allowance becomes effective for him under the provisions of sections one to twenty-eight, inclusive. During such periods, however, no deductions for the annuity savings fund of the system shall be made from payments such members shall receive under the provisions of chapter one hundred and fifty-

two, nor shall he withdraw his accumulated total deductions therefrom.

SECTION 10. Section 15 of said chapter 32 is hereby amended by striking out subdivision (2), as most recently amended by section 9 of said chapter 487, and inserting in place thereof the following subdivision:-

(2) Initiation of Proceedings. Proceedings under this section may be initiated by the board, by the head of the department or by the commission or board of the commonwealth or of any political subdivision thereof wherein the member is employed or was last employed if not then in service, or in a county by the county commissioners, in a city by the mayor, in a town by the board of selectmen, in the Massachusetts Turnpike Authority by the authority, in the Massachusetts Housing Finance Agency by the agency, in the Massachusetts Port Authority by the authority, in the Greater Lawrence Sanitary District by the district or in the Blue Hills Regional School System by the system. The procedure set forth in subdivision (1) of section sixteen relative to delivery of copies, statement of service thereof, notice, hearing if requested.

SECTION 11. Section 20 of said chapter 32 is hereby amended by inserting after subdivision (4 7/8) the following subdivision:-

(4 7/8A) (a) The contributory retirement system established for the Greater Lawrence Sanitary District under the provisions of sections one to twenty-eight, inclusive, shall be known as, and all of its business shall be transacted under the name of, the "Greater Lawrence Sanitary District Employees Retirement System".

(b) Said system shall be managed by a retirement board which shall have the general powers and duties set forth in subdivision (5). Said board shall consist of three members as follows: the treasurer of the district who shall be a member ex officio, a second member who shall be elected by the members in or retired from service of such system from among their number in such manner and for such term, not exceeding three years, as the director of the district shall determine, and a third member who shall be chosen by the other two for a term of three years. Future elections of the second member shall be held under the supervision of said retirement board and the term of the second member shall be arranged so as not to expire in the year of expiration of the term of the third member. If a third member is not chosen by the other two members within thirty days after the expiration of the term of the third member, the district commission shall appoint a third member for a term of three years. Each member of said retirement board shall continue to hold office until the expiration of his term and until the

qualification of his successor. Upon the expiration of the term of office of any elected or appointed member or in case of a vacancy in either of said offices, his successor shall be elected or appointed as aforesaid for a three-year term or for the unexpired portion thereof, as the case may be, except that in no event shall the term of the second member expire in the same year as the term of the third member.

(c) The members of the board shall serve without compensation, but they shall be reimbursed from the expense fund of the system for any expense or loss of salary or wages which they may incur through service on said board. Nothing in this paragraph shall prevent the secretary-treasurer, or any other person who serves in the active administration of the system in lieu of the secretary-treasurer, from being compensated for services rendered in the active administration of the system; provided, that the compensation for such services shall not be less than two hundred nor more than fifteen hundred dollars per annum, and shall be payable from the expense fund of the system.

(d) The board by majority vote shall elect one of its members to serve as chairman until the election of his successor and shall appoint a secretary who may be, but need not be, one of its members. The board shall employ such clerical and other assistants as may be required to transact the business of the system.

(e) The legal counsel of the district shall be the legal advisor of the board; provided, that in such cases as the board deems necessary it may employ other counsel whose fees shall be paid from the expense fund of the system.

(f) The treasurer may be compensated for services rendered as custodian of the funds of the retirement system, provided that the compensation for such services shall not be more than fifteen hundred dollars per annum and shall be payable from the expense fund of the system.

SECTION 12. Said section 20 of said chapter 32 is hereby further amended by inserting after subdivision (4 7/8A), inserted by section 11 of this act, the following subdivision:-

(4 7/8B) (a) The contributory retirement system established for the Blue Hills Regional Vocational School under the provisions of section one to twenty-eight, inclusive, shall be known as, and all of its business shall be transacted under the name of, the "Blue Hills Regional Vocational School retirement system".

(b) Said system shall be managed by a retirement board which shall have the general powers and duties set forth in subdivision (5). Said board shall consist of three members as follows: the treasurer of the school system who shall be a member ex officio, a second member who shall be elected by the

members in service of such system from among their numbers in such manner and for such term, not exceeding three years, as the superintendent-director of the school system shall determine, and a third member who shall be chosen by the other two for a term of three years. Future elections of the second member shall be held under the supervision of such retirement board and the term of the second member shall be arranged so as not to expire in the year of expiration of the term of the third member. If a third member is not chosen by the other two members within thirty days after the expiration of the term of the third member, the school system board shall appoint a third member of a term of three years. Each member of such retirement board shall continue to hold office until the expiration of his term and until the qualification of his successor. Upon the expiration of the term of office of any elected or appointed member or in case of a vacancy in either of said offices, his successor shall be elected or appointed as aforesaid for a three-year term or for the unexpired portion thereof, as the case may be, except that in no event shall the term of the second member expire in the same year as the term of the third member.

(c) The members of the board shall serve without compensation, but they shall be reimbursed from the expense fund of the System for any expense or loss of salary or wages which they may incur through service on such board. Nothing in this paragraph shall prevent the treasurer, or any other person who serves in the active administration of the system in lieu of the treasurer, from being compensated for services rendered in the active administration of the system provided that the compensation for such services shall be not less than two hundred nor more than fifteen hundred dollars per annum, and shall be payable from the expense fund of the system;

(d) The board by majority vote shall elect one of its members to serve as chairman until the election of his successor and shall appoint a secretary who may be, but need not be, one of its members. The board shall employ such clerical and other assistants as may be required to transact the business of the system;

(e) In such cases as the board deems necessary it may employ counsel whose fees shall be paid from the expense fund of the system;

(f) The treasurer may be compensated for services rendered as custodian of the funds of the retirement system, provided that the compensation for such services shall not be more than fifteen hundred dollars per annum and shall be payable from the expense fund of the system.

SECTION 13. Paragraph (i) of subdivision (5) of section 20 of said chapter 32 is hereby amended by inserting after the ninth

sentence, inserted by section 11 of said chapter 487, the following two sentences:- The retirement board of the Greater Lawrence Sanitary District employees' retirement system shall file a copy of its report with the district commission for publication in the district's annual report. The retirement board of the Blue Hills Regional Vocational school system shall file a copy of its report with the school system for publication in the authority's annual report to the governor and to the general court.

SECTION 14. Paragraph (c) of subdivision (1) of section 21 of chapter 32 is hereby amended by striking out the last sentence, most recently amended by section 13 of said chapter 487, and inserting in place thereof the following sentence:- Upon the completion of such examination, verification and valuation, the commissioner shall make a report in writing of his findings to the board, and shall send a copy thereof to the governor and state treasurer, the county commissioners, the mayor, the board of selectmen, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, the Blue Hills Regional Vocational school system, or the Greater Lawrence Sanitary District, as the case may be.

SECTION 15. Subdivision (2) of said section 21 of said chapter 32, as most recently amended by section 13 of said chapter 487, is hereby further amended by adding the following two sentences:- The Blue Hills Regional Vocational School system shall reimburse the commonwealth for such proportion of such expenses attributable to its retirement system as shall be determined just and proper by the commissioner of insurance, which sum shall be paid to the state treasurer upon notice from the commissioner. The Greater Lawrence Sanitary District employees' retirement system shall reimburse the commonwealth for such proportion of such expenses attributable to its retirement system as shall be determined just and proper by the commissioner of insurance, which sum shall be paid to the state treasurer upon notice from the commissioner.

SECTION 16. Subdivision (7) of section 22 of said chapter 32 is hereby amended by adding after paragraph (h), added by section 14 of said chapter 487, the following two paragraphs:-

(i) The retirement board of the Greater Lawrence Sanitary District employees' retirement system shall, on or before October fifteenth in each year, furnish the actuary with such information as he may require to enable him to determine the amount to be paid for the pension fund of said system by the Greater Lawrence Sanitary District for the fiscal year commencing on the next following January first. The actuary shall, on or before the December fifteenth immediately preceding such fiscal year,

determine such amount and specify in a written notice to said board the amount so required to be paid. The board shall, at least ten days before the January first next following the receipt of such notice from the actuary, certify to the district the amount necessary to be paid for such fiscal year for the three aforesaid funds of said system and the amount so certified shall be included by appropriate items in the district budgets for such fiscal year and shall be paid by the district to the treasurer-custodian of said system in twelve equal monthly installments to be credited to the several funds thereof. Such amounts as the actuary deems necessary to cover the requirements of the retirement system for the fiscal year prior to the beginning of the next fiscal year after this section shall become effective shall be paid into the several funds thereof in equal monthly installments by special payments of the Authority.

(j) The Blue Hills Regional Vocational School employees' retirement system. The retirement board of the Blue Hills Regional Vocational School employees' retirement system shall, on or before October fifteenth in each year, furnish the actuary with such information as he may require to enable him to determine the amount to be paid for the pension fund of such system by the Authority for the fiscal year commencing on the next following July first. The actuary shall, on or before the December fifteenth immediately preceding such fiscal year, determine such amount and specify in a written notice to said board the amount so required to be paid. The Board shall, at least ten days before the January first next following the receipt of such notice from the actuary, certify to the Authority the amount necessary to be paid for such fiscal year for the three aforesaid funds of such System and the amount so specified shall be included by appropriate items in the Authority's budgets for such fiscal year and shall be paid by the school system to the treasurer-custodian of such system in twelve equal monthly installments to be credited to the several funds thereof. Such amounts as the actuary deems necessary to cover the requirements of the retirement system for the fiscal year prior to the beginning of the next fiscal year after this section shall become effective shall be paid into the several funds thereof in equal monthly installments by special payments of the school system.

SECTION 17. Paragraph (a) of subdivision (2) of section 23 of said chapter 32 is hereby amended by striking out the first sentence, as most recently amended by section 15 of said chapter 487, and inserting in place thereof the following sentence:- The county, city or town treasurer, the secretary-treasurer of the Massachusets Turnpike Authority, the treasurer of the Massachusetts Bay Transportation Authority, the treasurer of

the Massachusetts Housing Finance Agency, the secretary-treasurer of the Massachusetts Port Authority, the treasurer of the Blue Hills Regional Vocational School system and the treasurer of the Greater Lawrence Sanitary District, shall be the treasurer-custodian of the system established under the provisions of section one to twenty-eight, inclusive, or under corresponding provisions of earlier laws, in any county, city or town, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, or the Greater Lawrence Sanitary District, as the case may be, and shall have the custody of the funds of any such system.

SECTION 18. Subdivision (1) of section 24 of said chapter 32 is hereby amended by striking out the first sentence, as most recently amended by section 16 of said chapter 487, and inserting in place thereof the following sentence:- If the commissioner of insurance is of the opinion that any governmental unit or any officer or employee thereof, or the state board of retirement, the teachers' retirement board or any other retirement board subject to the provisions of sections one to twenty-eight, inclusive, or any member or employee of any such board, has violated or neglected to comply with any provision of such sections, or the rules and regulations established thereunder, he shall give notice thereof to the governor, county commissioners, the mayor, the board of selectmen, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, the Blue Hills Regional Vocational school system or the Greater Lawrence Sanitary District, as the case may be, and to the retirement board, and thereafter, if such violation or neglect continues, shall forthwith present the facts to the attorney general who shall take appropriate action.

SECTION 19. Section 25 of said chapter 32 is hereby amended by striking out subdivision (4), as most recently amended by section 17 of said chapter 487, and inserting in place thereof the following subdivision:-

(4) The payment of all annuities, pensions, retirement allowances and refunds of accumulated total deductions and of any other benefits granted under the provisions of sections one to twenty-eight, inclusive, are hereby made obligations of the commonwealth in the case of any such payments from funds of the state employees' retirement system or the teachers' retirement system and obligations of the governmental unit in which the system is established in the case of payments from funds of any system established in any county, city or town or in the

Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, or the Greater Lawrence Sanitary District.

SECTION 20. Paragraph (a) of section 102 of said chapter 32 is hereby amended by striking out the second and third sentences, as most recently amended by section 19 of said chapter 487, and inserting in place thereof the following two sentences:- In the event that such comparison indicates an increase in the cost-of-living of at least three per cent, the retirement allowance, pension, or annuity of every former employee of the commonwealth or of any county, city, town, district, housing or redevelopment authority, or of the Massachusets Turnpike Authority, or of the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, or the Greater Lawrence Sanitary District, 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 of said year, be increased by such percentum as the general court shall determine. In the event that such comparison indicates a decrease in the cost-of-living of at least three per cent, the retirement allowance, pension, or annuity of every former employee of the commonwealth or of any county, city, town, district, housing or redevelopment authority, or of the Massachusetts Turnpike Authority, or the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, or the Greater Lawrence Sanitary District or of the spouse or other beneficiary of any such former employee who is receiving a retirement allowance, pension, or annuity shall be decreased by such percentum; provided, that no decrease shall be made which would reduce any retirement allowance, pension, or annuity to an amount less than the amount fixed for such retirement allowance, pension, or annuity as of December thirty-first, nineteen hundred and seventy-three.

SECTION 21. Section 73 of chapter 152 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 22 of said chapter 487, and inserting in place thereof the following sentence:- Any person entitled under section sixty-nine to receive compensation from the commonwealth or from such county, city, town or district and any person entitled under section thirty-one, thirty-four, thirty-four A, thirty-five, thirty-five A or thirty-six to receive compensation from the Massachusetts Turnpike Authority or the Massachusetts Port Authority, the Blue Hills Regional Vocational School system or the Greater Lawrence Sanitary District and any police officer of the Massachusetts Bay Transportation Authority

so entitled to compensation under said sections and who is also entitled to a pension by reason of the same injury, shall elect whether he will receive such compensation or such pension, and shall not receive both, except in the manner and to the extent provided by section fourteen of chapter thirty-two.

SECTION 22. Each employee of the Greater Lawrence Sanitary District as of January first, nineteen hundred and eighty-one, and each employee of the district thereafter shall become a member of the Greater Lawrence Sanitary District employees' retirement system. All others who are members of the Lawrence Retirement System on account of employment by the district shall continue to be members thereof and subject to the law applicable thereto. The Greater Lawrence Sanitary District employees' retirement system shall reimburse the Lawrence retirement system for the district's proportionate share of any amounts expended by the city of Lawrence under the provisions of chapter thirty-two of the General Laws for retirement allowances to or on account of the district's employees.

Whenever a person who is a member of the Lawrence retirement system on account of employment by the Greater Lawrence Sanitary District shall become a member of the Greater Lawrence Sanitary District employees' retirement system pursuant to this section, that employee shall be entitled to all creditable service and all rights and benefits to which he was entitled as a member of the Lawrence retirement system. With ninety days of such transfer by a member of the Lawrence retirement system to the Greater Lawrence Sanitary District employees' retirement system, the amount of the accumulated total deductions credited to his account in the annuity savings fund of the Lawrence retirement system shall be transferred and credited to the annuity savings fund of the Greater Lawrence Sanitary District employees' retirement system.

SECTION 23. Transfer of Employees. Each employee of the Blue Hills Regional Vocational School system as of January 1, 1981 and each employee of the school system thereafter shall become a member of the Blue Hills Regional Vocational School employees' retirement system. The Blue Hills Regional Vocational School employees' retirement system shall reimburse the Braintree Contributory Retirement System for the school system's proportionate share of any amounts expended by Braintree under the provisions of chapter thirty-two of the General Laws for retirement allowances to or on account of the school system's employees.

Whenever a person who is a member of the Braintree retirement system on account of employment by the Blue Hills Regional Vocational School System shall become a member of the Blue Hills

Regional School employees' retirement system pursuant to this section, that employee shall be entitled to all creditable service and all rights and benefits to which he was entitled as a member of the Braintree retirement system. Within ninety days of such transfer by a member of the Braintree retirement system, the amount of the accumulated total deductions credited to his account in the annuity savings fund of the Braintree retirement system shall be transferred and credited to the annuity savings fund of the Blue Hills Regional Vocational School employees' retirement system.

SECTION 24. Nothing in this act shall be deemed to repeal, decrease, abridge or in any way change the annuities, pensions, retirement allowances, refunds of accumulated total deductions or any other right or benefit to which a person transferred to the Greater Lawrence Sanitary District or the Blue Hills Regional Vocational School employees' retirement system pursuant to this act would have been entitled had he remained a member of the Lawrence retirement system.

Approved July 16, 1980.

Chap. 557. AN ACT CLARIFYING THE EXEMPTION OF TRACTORS USED BY FARMERS FROM THE SALES TAX.

Be it enacted, etc., as follows:

SECTION 1. Chapter 64H of the General Laws is hereby amended by striking out section 26, as amended by section 1 of chapter 564 of the acts of 1970, and inserting in place thereof the following section:-

Section 26. Where a trade in of a motor vehicle or trailer is received by a dealer in such vehicles holding a valid vendor's registration, upon the sale of another motor vehicle or trailer to a consumer or user, the tax shall be imposed only on the difference between the sale price of the motor vehicle or trailer purchased and the amount allowed on the motor vehicle or trailer traded in on such purchase. When any such motor vehicle or trailer traded in is subsequently sold to a consumer or user, the tax provided for in this chapter shall apply. For the purpose of this section the term "motor vehicle" means any self-propelled vehicle designed for use and used primarily upon the highway.

SECTION 2. Chapter 64I of the General Laws is hereby amended by striking out section 27, as amended by section 2 of said chapter 564, and inserting in place thereof the following section:-

Section 27. Where a trade in of a motor vehicle or trailer is received by a dealer in such vehicles holding a valid vendor's

registration, upon the sale of another motor vehicle or trailer to a consumer or user, the tax shall be imposed only on the difference between the sale price of the motor vehicle or trailer purchased and the amount allowed on the motor vehicle or trailer traded in is subsequently sold to a consumer or user, the tax provided for in this chapter shall apply. For the purpose of this section, the term "motor vehicle" means any self-propelled vehicle designed for use and used primarily upon the highway.

Approved July 16, 1980.

Chap. 558. AN ACT FURTHER REGULATING THE SALE OF MEDICARE SUPPLEMENTAL INSURANCE POLICIES SOLD IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

The commissioner of insurance is hereby authorized and directed to include in the regulations governing the sale of policies offering medicare supplemental insurance, as defined by the commissioner, provisions that the amount of commission paid to the selling agent shall not exceed twenty-five per cent of the annual premium paid during the first year the policy is in force and shall not exceed fifteen per cent of the annual premium in any subsequent year.

Approved July 16, 1980.

Chap. 559. AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT CLERK IN THE DISTRICT COURT OF SOUTHERN NORFOLK.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws, as most recently amended by section 176 of chapter 478 of the acts of 1978, is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the following paragraphs:-

Two assistant clerks with salaries payable by the commonwealth may be appointed in;

fourth district court of Bristol
municipal court of Brookline
district court of Chelsea
first district court of Essex
district court of central Middlesex
first district court of northern Middlesex
district court of western Norfolk

district court of Peabody
third district court of Plymouth
fourth district court of Plymouth.

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

Approved July 16, 1980.

Chap. 560. AN ACT PROVIDING FOR THE ELIGIBILITY OF CERTAIN CHARITABLE CORPORATIONS AND TRUSTS FOR PROPERTY TAX EXEMPTIONS AND APPLICATIONS FOR ABATEMENT OF TAXES ASSESSED OR PAID FOR THE TAXABLE YEARS DURING THE PERIOD COMMENCING JANUARY FIRST, NINETEEN HUNDRED AND SIXTY-NINE AND ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND EIGHTY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of paragraph (b) of clause Third of section five of chapter fifty-nine of the General Laws, a charitable organization, as defined in said clause Third or a trust established by a declaration of trust executed in the commonwealth and coming within said definition of a charitable organization in said clause Third, shall be eligible for the exemption provided in said section five for the taxable years during the period commencing January first, nineteen hundred and sixty-nine and ending June thirtieth, nineteen hundred and eighty, provided that the list of property required by section twenty-nine of said chapter fifty-nine is filed on or before November first, nineteen hundred and eighty, and all other requirements for such exemption are complied with.

A charitable organization or a trust defined as aforesaid which files the required list of property on or before November first,

nineteen hundred and eighty, and, but for the failure to file said list with the respective assessors for taxable years during the period commencing January first, nineteen hundred and sixty-nine and ending June thirtieth, nineteen hundred and eighty, would have received a property tax exemption in said years, may file an application for an abatement of any property taxes assessed or paid in said taxable years in the manner provided by section fifty-nine of said chapter fifty-nine on or before November first, nineteen hundred and eighty; and, if such charitable organization or trust would otherwise be eligible for such exemption, the taxes so assessed or paid shall be abated.

Approved July 16, 1980.

Chap. 561. AN ACT AUTHORIZING THE MASSACHUSETTS TECHNOLOGY DEVELOPMENT CORPORATION TO RECEIVE CERTAIN FEDERAL FUNDS.

Be it enacted, etc., as follows:

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

For purposes of the definition of target area, a substandard area shall include any area with conditions of blight, widespread reliance on public assistance, economic depression or substantial unemployment, and the good faith determination of the board that any of such conditions exists shall be conclusive.

SECTION 2. Said chapter 40G is hereby further amended by inserting after section 5 the following section:-

Section 5A. The MTDC is hereby authorized to operate as a corporation for innovation development under the provisions of the rules and regulations of the United States Department of Commerce regarding corporations for innovation development and under the provisions of the Public Laws of the United States regarding such corporations. In its capacity as a corporation for innovation development, the MTDC is authorized to accept any and all grants, loans, guarantees, subsidies, matching funds, reimbursements, property, services, or other things of value from the United States or any agency thereof or from any regional governmental agency or from any government agency of any other state or from any institution, person, firm or corporation, public or private, to be used for the purposes of a corporation for innovation development as set forth in applicable federal laws and regulations. The board of directors of the MTDC may, in its discretion, establish a subsidiary corporation to operate as a corporation for innovation development if it

determines that it would be preferable for operational reasons to separate said corporation for innovation development activities from the other activities of MTDC.

Approved July 16, 1980.
EMERGENCY LETTER - July 23, 1980 @ 11:20 A.M.

Chap. 562. AN ACT AUTHORIZING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE OF THE MIDDLESEX COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to expend for the fiscal year nineteen hundred and eighty-one the sums set forth in this act for the care, maintenance and repair of the county hospital and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

MIDDLESEX COUNTY

Item		
1.	For personal services	$6,240,079 01
2.	For contractual services	1,020,875 00
3.	For supplies and materials	1,000,000 00
4.	For current charges and obligations	700,000 00
5.	For equipment	164,285 00
8.	For debt and interest	67,000 00
10.	For unpaid bills of previous years	75,000 00
12.	For group insurance	500,000 00
	For total expenditures	$9,767,239 01

SECTION 2. This act shall take effect as of July first, nineteen hundred and eighty.

Approved July 16, 1980.

Chap. 563. AN ACT AUTHORIZING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-ONE FOR THE MAINTENANCE 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 eighty-one the sums set forth in this act for the care, maintenance and repair of the county hospital and to assess the same in the manner set forth in section eighty-five of chapter

one hundred and eleven of the General Laws.

NORFOLK COUNTY.

Item		
1.	For personal services	$4,050,000 00
2.	For contractual services	650,000 00
3.	For supplies and materials	665,000 00
4.	For current charges and obligations	409,388 00
5.	For equipment	34,061 00
6.	For structures and improvements	5,000 00
8.	For debt and interest	20,000 00
10.	For unpaid bills of previous years	20,000 00
11.	For reserve fund	90,000 00
12.	For group insurance	343,000 00
	For total expenditures	$6,286,449 00

SECTION 2. This act shall take effect as of July first, nineteen hundred and eighty.

Approved July 16, 1980.

Chap. 564. AN ACT FURTHER REGULATING INDIVIDUAL OR GROUP ANNUITY CONTRACTS FOR EMPLOYEES OF LOCAL SCHOOL DEPARTMENTS.

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 224 of the acts of 1977, 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 or any investment approved by the internal revenue service guidelines relative to section 403(b) of the Internal Revenue Code 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 July 16, 1980.

Chap. 565. AN ACT IMPLEMENTING THE FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING ACT AND OTHER FEDERAL OR STATE TRAINING PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six and section twenty-eight of chapter thirty-one of the General Laws, an appointment to a position subject to said chapter may be made to a position in the lowest title in a series as determined by the personnel administrator, provided, that the appointee has successfully completed a work-training program for disadvantaged persons. The secretary of the executive office of manpower affairs shall certify which work-training programs meet the qualifications and work specifications of the positions and adequately prepare the trainee to perform the duties of said positions, and shall furnish a list of the approved programs to the personnel administrator; provided, that such training programs shall have been advertised to the public and made available to permanent employees of the commonwealth and its political subdivisions who meet the criteria as hereinafter established for disadvantaged persons and shall have been sponsored or conducted by, or in cooperation with, the commonwealth, a political subdivision thereof or the federal government.

Prior to appointment under this act, persons so trained shall have passed an examination for the position administered by the personnel administrator. If more than one person eligible for an appointment under this act shall satisfactorily pass the examination, the names of the disadvantaged persons shall be placed in the order of their passing grade, subject to said section twenty-six, or section twenty-eight for labor service, of chapter thirty-one of the General Laws, upon an eligible list hereafter called a special eligible list.

When an eligible list already exists for the position for which such examination has been given, the personnel administrator shall certify names alternately from such eligible list and the special eligible list until the required number of eligibles is certified, provided, that persons on such list shall be grouped according to the provisions of chapter thirty-one of the General Laws, and that nothing in this act shall affect the provisions of chapter thirty-one concerning promotional examinations. Names from a departmental promotional list shall be certified before names from a special eligible list.

For the purpose of this act a disadvantaged person shall be a person whose annual family net income, in relation to family size and location, does not exceed low-income guidelines established by the federal government, and who is a person lacking a high school education or its equivalent or belonging to a minority group or under twenty-one years of age or forty-five years of age or older, or is handicapped; provided, that a permanent state or municipal employee who otherwise meets the foregoing

criteria shall not be barred from consideration as a disadvantaged person by reason of his receiving a salary from the commonwealth or its political subdivisions; and provided, further, that a public service employment enrollee who is unsuitably employed as defined by regulations promulgated pursuant to the Comprehensive Employment and Training Act shall not be barred from consideration as a disadvantaged person by reason of the amount of his salary.

The provisions of this act shall not apply to positions in the police or fire services.

The division of personnel administration shall be available to assist in designing training programs to meet stated specifications of the positions for which person referred to in this act are trained.

SECTION 2. This act shall cease to be operative on June thirtieth, nineteen hundred and eighty-two.

Approved July 17, 1980.

EMERGENCY LETTER - August 8, 1980 @ 4:30 P.M.

Chap. 566. AN ACT INCREASING THE STIPEND FOR THE ELDER SERVICE CORPS.

Be it enacted, etc., as follows:

Clause (2) of section 13 of chapter 19A of the General Laws, as appearing in section 15 of chapter 1168 of the acts of 1973, is hereby amended by inserting after the word "hundred", in line 4, the words:- and ten.

Approved July 16, 1980.

Chap. 567. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO RESERVE A SITE FOR A STATUE MEMORIALIZING ARTHUR FIEDLER.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to locate and reserve a site for a statue at the Hatch memorial shell located in the Charles river reservation in the city of Boston, in memory of Arthur Fiedler, the father of the Boston Pops.

Approved July 16, 1980.

Chap. 568. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO GRANT A PERMANENT PUBLIC RIGHT OF WAY OVER A CERTAIN PARCEL OF LAND IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to grant a permanent public right of way at a price to be negotiated between the parties for passing over and upon but not under the land situated in the town of Framingham presently being used for water supply purposes and described as follows:

A permanent right of way easement over and upon that area marked "Easement" and being appurtenant to that certain parcel of land situated off Irving Street, in the Town of Framingham, Middlesex County, Massachusetts and marked "9.65 Acres," both being as shown on a plan entitled "Compiled Plan of Land Off Irving Street, Framingham, Massachusetts, Prepared for The Stone Company" 1"-40' scale, dated March 1979, prepared by Boston Survey Consultants, Inc., 263 Summer Street, Boston, Massachusetts, to be recorded with the Southern district registry of deeds in Middlesex county, said easement area being more particularly described as follows:

Beginning at the most SOUTHEASTERLY corner thereof, being S 72° 35' E, a distance of 220.57' from a drill hole on the line of the Penn Central Railroad, as shown on said plan; thence turning and running N 72° 35' 11" W, as shown on said plan a distance of 50.33'; thence turning and running NORTHEASTERLY as shown on said plan a distance of 80'; thence turning and running S 72° 35' 11" E, as shown on said plan a distance of 50'; thence turning and running SOUTHWESTERLY as shown on said plan a distance of 80' more or less to the point of beginning.

Approved July 16, 1980.

Chap. 569. AN ACT ESTABLISHING A PARK AND RECREATION COMMISSION IN THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the city of Taunton a park and recreation commission, hereinafter called the commission, consisting of five members to be appointed by the mayor, with the approval of the city council. The mayor shall initially appoint, subject to the approval of the city council, the five members for terms as follows: one for a term of one year, one for a term of two years, one for a term of five years respectively from the first Monday in May next following such appointment and until their successors are qualified. Thereafter, as the term of office of any member expires, the mayor shall annually, before the first Monday of May, appoint his successor for a term of five years. A vacancy in the commission shall be filled in like man-

ner for the remainder of the unexpired term. The members of the commission shall serve without compensation.

SECTION 2. Upon the initial appointment and qualification of the members of said commission, the board of park commissioners and the recreation commission in the city of Taunton shall be abolished, the terms of office of the members of said board and of said commission shall terminate, and all the powers, duties and trusts conferred or imposed by law or ordinance on said board of park commissioners and on said recreation commission shall be transferred to, and exercised by, the commission established by section one.

SECTION 3. All employees of the park department and of the recreation commission shall, upon the appointment and qualification of the members of the commission, be transferred to and become employees of, the park and recreation commission, without loss of pay, seniority, retirement or pension rights, or any other privileges.

SECTION 4. The incumbent supervisor of the park division and the incumbent director of the recreation department shall, upon the initial appointment and qualification of the members of the commission, and thereafter, have such duties and responsibilities as the commission may assign and impose, without loss of pay and without loss of rights, seniority, retirement, pension or any other privileges either civil service related or otherwise. Upon the cessation retirement or failure of either or both of said incumbents to serve, the commission shall appoint a director of parks and recreation, hereinafter called the director, and not more than two division heads who shall have such powers, duties and responsibilities as the commission may assign or impose.

Said director and division heads shall not be subject to chapter thirty-one of the General Laws, but shall be appointed by the commission, subject to the approval by the mayor and the city council, for a term of three years or until their successors are appointed and qualified. They may be removed by the commission with the concurrence of the mayor and city council for just cause and when the public interest so requires. Any vacancy from any cause may be filled in like manner for the remainder of the unexpired term.

All the duties, qualifications and requirements presently set forth by city ordinance as applicable to the director shall continue to be applicable.

SECTION 5. Upon the initial appointment and qualification of the members of the commission, all monies, real property, furniture, fixtures, supplies, equipment, contractual obligations, rights and liabilities of the board of park commissioners and the recreation commission shall be assigned, transferred and delivered to the park and recreation commissions.

Approved July 16, 1980.

Chap. 570. AN ACT REMOVING CERTAIN RESTRICTIONS ON PREVIOUSLY AUTHORIZED HIGHWAY CONSTRUCTION FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 616 of the acts of 1967, as amended by chapter 42 of the acts of 1969, is hereby further amended by striking out the second sentence.

SECTION 2. Said chapter 616 is hereby further amended by inserting after section 6 the following section:-

Section 6A. Pursuant to the provision of section one the department is authorized and directed to expend the sum of two million one hundred and eighty-five thousand dollars for the design, construction and improvement to nonfederally reimbursable projects.

SECTION 3. Section 4 of chapter 765 of the acts of 1972 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Pursuant to the provisions of section one the department is authorized and directed to expend a sum no less than sixty million dollars for projects for construction, reconstruction and improvement of town and county ways under subdivision (a) of clause (2) of section thirty-four of chapter ninety of the General Laws.

SECTION 4. Said chapter 765 is hereby further amended by inserting after section 4 the following section:-

Section 4A. Pursuant to the provisions of section one the department is authorized and directed to expend the sum of four million dollars for the design, construction and improvement to nonfederally reimbursable projects; provided, however, that the sum of eight hundred seventy-seven thousand seven hundred and forty dollars shall be expended only for the purpose of reimbursing the cities and towns of Berkshire, Franklin, Hampshire and Hampden counties for actual damages sustained by them due to the floods and rains of March twenty-first and twenty-second, nineteen hundred and eighty, appearing as estimates in the report of the special committee (House, No. 6669) appointed pursuant to House Order 6092, adopted March twenty-fourth, nineteen hundred and eighty and subject to the approval of the flood relief board.

SECTION 5. Section five A of said chapter seven hundred and sixty-five is hereby repealed.

SECTION 6. Paragraph (c) of section 2 of chapter 859 of the acts of 1975 is hereby amended by striking out, in line 5, the words "rail rights-of-way" and inserting in place thereof the words:- railroad property.

SECTION 7. Section six A of said chapter eight hundred and fifty-nine is hereby repealed.

SECTION 8. Section 8 of said chapter 859 is hereby amended by striking out paragraph (b) and inserting in place thereof the following paragraph:-

(b) a sum not to exceed fifty thousand dollars to repair, maintain and improve structures within the custody and control of the department in conformity with the provisions of the state building code promulgated pursuant to the provisions of chapter eight hundred and two of the acts of nineteen hundred and seventy-two where such structures were acquired for highway purposes.

SECTION 9. Said section 8 of said chapter 859 is hereby further amended by striking out paragraph (d) and inserting in place thereof the following paragraph:-

(d) a sum not to exceed two million dollars for the functional replacement of the Worcester YMCA, Greendale Branch.

SECTION 10. Said section 8 of said chapter 859 is hereby further amended by adding the following paragraph:-

(f) a sum not to exceed five million four hundred and fifty thousand dollars for the design and construction, repair and improvement to nonfederally reimbursable projects.

SECTION 11. The second paragraph of section 11 of said chapter 859 is hereby amended by striking out, in line 7, the word "eighty-six" and inserting in place thereof the word:- sixty-nine.

SECTION 12. Section 2A of chapter 480 of the acts of 1979 is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:-

(d) a sum not to exceed twelve million dollars for improvements to United States highway route 1 in the city of Chelsea.

Approved July 16, 1980.

EMERGENCY LETTER - July 31, 1980 @ 11:10 A.M.

Chap. 571. AN ACT PROVIDING THAT CERTAIN PSYCHOLOGISTS MAY EXAMINE FOR COMMITMENT AND COMPETENCY PROCEEDINGS FOR BRIDGEWATER STATE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 123 of the General Laws is hereby amended by inserting after the paragraph defining "Qualified physician", as appearing in section 4 of chapter 888 of the acts of 1970, the following paragraph:-

"Qualified psychologist", a psychologist who is licensed pur-

suant to sections one hundred and eighteen to one hundred and twenty-nine, inclusive, of chapter one hundred and twelve who is designated by and who meets qualifications required by the regulations of the department, provided that different qualifications may be established for different purposes of this chapter. A qualified psychologist need not be an employee of the department or of any facility of the department.

SECTION 2. Paragraph (b) of section 15 of said chapter 123 is hereby amended by striking out the second sentence, as appearing in section 12 of chapter 760 of the acts of 1971, and inserting in place thereof the foliowing sentence:- If, before the expiration of such twenty-day period, an examining qualified physician or, in the case of Bridgewater state hospital, an examining qualified physician or an examining qualified psychologist, believes that observation for more than twenty days is necessary, he shall so notify the court and shall request in writing an extension of the twenty-day period, specifying the reason or reasons for which such further observation is necessary.

SECTION 3. Said section 15 of said chapter 123 is hereby further amended by striking out paragraph (c), as appearing in section 12 of chapter 760 of the acts of 1971, and inserting in place thereof the following paragraph:-

(c) At the conciusion of the examination or the observation period the examining qualified physician or physicians or, in the case of Bridgewater state hospital, the examining qualified physician or physicians or the exaining qualified psychologist or psychologists, shall forthwith give to the court written signed reports of their findings including the clinical findings bearing on the issue of competence to stand trial or criminal responsibility. Such reports shall also contain an opinion, supported by clinical findings, as to whether the defendant is in need of treatment and care offered by the department.

SECTION 4. Paragraph (a) of section 18 of said chapter 123, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence:- Such report shall be signed by the physician or physicians or, in the case of Bridgewater state hospital, signed by the qualified physician or physicians conducting such examination or signed by the qualified psychologist or psychologists conducting such examination, and shall contain an evaluation, supported by clinical findings, of whether the prisoner is in need of further treatment and care at a facility or, if a male, the Bridgewater state hospital by reason of mental illness.

SECTION 5. Said chapter 123 is hereby further amended by striking out section 22, as amended by section 71G of chapter 367 of the acts of 1978, and inserting in place thereof the following section:-

Section 22. Physicians, qualified psychologists and police officers shall be immune from civil suit for damages for restraining, transporting, applying for the admission of or admitting any person to a facility or the Bridgewater state hospital, or the Intensive Care Unit for Women, providing said physician, qualified psychologist or police officer acts pursuant to the provisions of this chapter.

Approved July 16, 1980.

Chap. 572. AN ACT AUTHORIZING THE COMMISSIONER OF ADMINISTRATION TO SET FEES AND CHARGES PAID TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 3B of chapter 7 of the General Laws, as inserted by section 27 of chapter 684 of the acts of 1975, is hereby amended by inserting, at the end thereof, the following paragraph:-

For the period beginning July first, nineteen hundred and eighty, and ending December thirty-first, nineteen hundred and eighty-two, the secretary of administration (1) shall determine the amount to be charged by the commonwealth for each service of any kind performed by any state personnel or agency which is primarily for the benefit of any individual person or corporation, other than services for patients in and by institutions of correction; (2) shall determine the charge to be made by the commonwealth for each use for private purposes or gain of state-owned buildings, houses, facilities, and equipment; (3) shall determine the charge to be made by the commonwealth for meals served in state institutions or facilities to employees thereof; and, (4) shall determine the amount to be charged for any other service, registration, regulation, license, fee, permit or other public function provided, however, that said secretary shall not determine the rates of tuition at state colleges, state community colleges, state universities, and the Massachusetts Maritime Academy or any fees or charges relative to the administration and operation of the trial court, appeals court, supreme judicial court and any other department of the judiciary of the commonwealth.

SECTION 2. Section 3C of said chapter 7 is hereby repealed.

SECTION 3. The first sentence of the second paragraph of section 38 of chapter 10 of the General Laws, as appearing in

section 1 of chapter 729 of the acts of 1973, is hereby amended by striking out the words "fifty dollars per annum" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 4. The third sentence of section 32A of chapter 13 of the General Laws, as inserted by chapter 369 of the acts of 1964, is hereby amended by striking out the words, "and reasonable fees, not to exceed ten dollars, for the filing thereof" and inserting in place thereof the words:- and reasonable fees, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 5. Section 16 of chapter 21 of the General Laws, as most recently amended by section 3 of chapter 201 of the acts of 1977, is hereby further amended, by striking out in the second sentence of the first paragraph, the words, "of ten dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 6. Clause (a) of paragraph (6) of section 43 of said chapter 21, as appearing in section 9 of chapter 546 of the acts of 1973, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 7. Clause (b) of said paragraph (6) of said section 43 of said chapter 21, as appearing in said section 9 of said chapter 546, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Upon submission of an application standard form to the director, an applicant shall pay a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, and if there is more than one outlet from which the discharge will flow, an additional fee, also determined under the aforementioned provision, shall be paid for each additional outlet.

SECTION 8. The second sentence of section 4 of chapter 21B of the General Laws, as appearing in section 1 of chapter 957 of the acts of 1977, is hereby amended by striking out the words "of two thousand dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 9. Section 5 of said chapter 21B is hereby amended by striking out clause (1) of the first paragraph, as appearing

in said section 1 of said chapter 957, and inserting in place thereof the following clause:-

(1) a license fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, a certain portion of which, determined by said commissioner, shall accompany the application.

SECTION 10. Chapter 25 of the General Laws is hereby amended by striking out section 10B, inserted by chapter 499 of the acts of 1964, and inserting in place thereof the following section:-

Section 10B. Except when a fee is required by another provision of law, and except in the case of a filing by the commonwealth or any of its political subdivisions, the department shall charge and collect fees as determined annually by the commissioner of administration under the provision of section three B of chapter seven in the following instances:

1. For filing a tariff having intrastate application only, schedule or amendment thereto, or a contract filed under section seven of chapter one hundred and fifty-nine B, and for filing an application for a permit for special service, under section eleven A of chapter one hundred and fifty-nine A.

2. For filing each annual report or any contract, other than one required to be filed under section seven of chapter one hundred and fifty-nine B, required by law to be filed with the department, and for filing an appeal to the commission from a ruling or decision of the director of the commercial motor vehicle division, under section twelve F of this chapter.

3. For filing each application for a certificate of public convenience and necessity under chapter one hundred and fifty-nine A, for the issuance of a license for charter service under chapter one hundred and fifty-nine A, or for exemption from a zoning ordinance.

4. For filing each application by any public utility for approval of the issue of stocks, bonds, notes or other evidences of indebtedness according to the amount thereof, as follows:

$100	-	$1,000
1,001	-	2,500
2,501	-	5,000
5,001	-	10,000
10,001	-	40,000
40,001	-	50,000
50,001	-	75,000
75,001	-	150,000
150,001	-	300,000
300,001	-	400,000
400,001	-	500,000
500,001	-	1,000,000

For each additional $10,000 or fraction thereof

5. For any other approval or authority of the department.

The department shall designate one of its employees to receive all fees collected under this section who shall give bond to the state treasurer in the sum of ten thousand dollars.

SECTION 11. Chapter 30 of the General Laws is hereby further amended by striking out section 13, as most recently amended by section 1 of chapter 684 of the acts of 1972, and inserting in place thereof the following section:-

Section 13. Before the delivery of a commission to a person appointed commissioner under section three or four of chapter two hundred and twenty-two, master in chancery or justice of the peace, he shall pay to the state secretary a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven. Before the delivery of a commission to a person appointed a notary public he shall pay to the state secretary a fee as determined annually under the aforementioned provision. A person whose acts as a notary public or justice of the peace have been validated by the general court or the state secretary shall pay a fee as determined annually under the aforementioned provision before the delivery of the first commission for either of said offices to be delivered after such validation. Upon the change of name of any woman who has been appointed and qualified as a notary public, she shall re-register under her new name and shall pay to the state secretary a fee as determined annually under the aforementioned provision.

SECTION 12. Section 7 of chapter 58A of the General Laws, as most recently amended by section 11 of chapter 580 of the acts of 1978, is hereby further amended by striking out the ninth sentence and inserting in place thereof the following two sentences:-The party taking the appeal shall at the time of filing the petition pay to the clerk an entry fee for each appeal from a decision of the commissioner, or, in the case of an appeal from a decision of a board of assessors, an entry fee where the assessed fair cash valuation of the real property or personal property, or both, the tax on which is sought to be abated, is fifty thousand dollars or less; or, entry fee where such assessed fair cash valuation is in excess of fifty thousand dollars. The commissioner of administration shall annually determine the amounts of such entry fees under the provision of section three B of chapter seven.

SECTION 13. The third sentence of section 7A of said chapter 58A, as inserted by section 12 of said chapter 580, is hereby amended by striking out the words "the minimum entry fee shall be two dollars" and inserting in place thereof the words:- a minimum entry fee shall be determined annually by the commis-

sioner of administration under the provision of section three B of chapter seven.

SECTION 14. The seventh sentence of said section 7A of said chapter 58A, as inserted by said section 12 of said chapter 580, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 15. The second sentence of section 2A of chapter 60A of the General Laws, as appearing in chapter 183 of the acts of 1969, is hereby amended by striking out the words "of one dollar" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 16. Paragraph (a) of section 17 of chapter 62C of the General Laws, as amended by section 120 of chapter 514 of the acts of 1978, is hereby further amended by striking out, in the third sentence, the words "of ten dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 17. Section 52 of said chapter 62C, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:- There shall be charged and collected a fee for each such waiver or certificate issued and a fee for each duplicate copy thereof. The commissioner of administration shall annually determine the fee under the provision of section three B of chapter seven.

SECTION 18. Section 67 of said chapter 62C, as amended by section 3 of chapter 459 of the acts of 1977, is further amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following paragraphs:-

The fee for each registration shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

The fees for licenses and each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven in the following categories: distributors; unclassified importers; unclassified exporters; manufacturers; wholesalers; vending machine operators; unclassified acquirers; transportation companies; retailers; user-sellers; suppliers; users of special fuels; motor carriers or their vehicles; except that in 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 above determined fee. No fee, nor part

of any fee, shall be refunded by reason of relinquishment, suspension or revocation of a license.

SECTION 19. The fourth sentence of the first paragraph of section 22 of chapter 65 of the General Laws, as inserted by section 57 of chapter 555 of the acts of 1971, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 20. Said chapter 65 is hereby amended by striking out section 35A, as most recently amended by section 61 of said chapter 555, and inserting in place thereof the following section:-

Section 35A. The commissioner is hereby authorized to issue the documents set forth in the following paragraphs and to charge and collect therefor the fees as determined annually by the commissioner of administration under the provision of section three B of chapter seven, except that in those cases where a fee has been paid with the filing of a return under section twenty-two no additional fee shall be charged or collected for copies of any of said documents. In each case, the fee for a duplicate original or for additional copies of any document shall be the same as for the document itself. All fees so collected shall be paid into the state treasury.

(a) For a certificate to the effect that all taxes due and payable under this chapter with respect to a particular parcel or parcels of real estate as a result of the death of a specified decedent have been paid or that no such tax is due and that said real estate is free of any lien chargeable under this chapter.

(b) For a waiver to the effect that no tax is due under this chapter, as a result of the death of a specified decedent.

(c) For a photostatic copy of the computation sheet showing the computation of the tax due under this chapter as a result of the death of a specified decedent.

(d) For a certificate showing the amount of tax paid under this chapter.

(e) For a duplicate copy of the commissioner's "Determination of Value" issued pursuant to section twenty-five.

(f) For a duplicate copy of a tax bill showing the amount of any tax assessed under this chapter.

(g) For a duplicate copy of a receipt showing the amount of any tax paid under this chapter.

SECTION 21. Chapter 65C of the General Laws is hereby amended by striking out section 24, as amended by section 5 of chapter 459 of the acts of 1977, and inserting in place thereof the following section:-

Section 24. The commissioner is hereby authorized to issue

the following documents and to charge and collect therefor the fees as determined annually by the commissioner of administration under the provision of section three B of chapter seven, except that in those cases where a fee has been paid with the filing of a return under section seventeen of chapter sixty-two C, no additional fee shall be charged or collected for copies of any of said documents. In each case, the fee for a duplicate original or for additional copies of any document shall be the same as for the document itself.

(a) For a certificate of release of any lien imposed by this chapter, a certificate of discharge of any property subject to any lien imposed by this chapter, or a certificate that particular property is free of any lien imposed by this chapter.

(b) For a certificate showing no tax is due under this chapter as a result of the death of a specified decedent.

(c) For a copy of a computation sheet showing the computation of the tax due under this chapter as a result of the death of a specified decedent.

(d) For a certificate showing the amount of tax paid under this chapter.

(e) For a duplicate copy of a notice of assessment showing the amount of any tax assessed under this chapter.

(f) For a duplicate copy of a receipt showing the amount of any tax paid under this chapter.

SECTION 22. The next to last sentence of section 19 of chapter 68 of the General Laws, as appearing in section 1 of chapter 718 of the acts of 1964, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 23. The third sentence of clause (a) of section 23 of said chapter 68, as appearing in said section 1 of said chapter 718, is hereby amended by striking out the words "in the sum of ten dollars" and inserting in place thereof the words:- to be determined by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 24. The second and third sentence of section 6 of chapter 69 of the General Laws, as appearing in section 4 of chapter 684 of the acts of 1972, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 25. The last sentence of the first paragraph of section 38G of chapter 71 of the General Laws, as appearing in section 5 of chapter 847 of the acts of 1973, is hereby amended by

striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 26. The third sentence of section 16A of chapter 75 of the General Laws, as appearing in chapter 475 of the acts of 1947, is hereby amended by striking out the words "not exceeding twenty-five cents" and inserting in place thereof the words: -as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 27. Said chapter 75 is hereby amended by striking out section 21, as amended by chapter 182 of the acts of 1922, and inserting in place thereof the following section:-

Section 21. A fee as determined annually by the commissioner of administration under the provision of section three B of chapter seven may be charged for each test of poultry made under section seventeen.

SECTION 28. The last sentence of the second paragraph of section 2 of chapter 75C of the General Laws, as appearing in section 1 of chapter 652 of the acts of 1963, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:- The fee for issuance of a license to operate a correspondence school and the fee for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 29. The last sentence of the second paragraph of section 3 of said chapter 75C, as appearing in said section 1 of said chapter 652, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:- The fee for issuance of a license to a representative of a correspondence school and the fee for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 30. Section 2 of chapter 75D of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 1096 of the acts of 1971, and inserting in place thereof the following sentence:- The fee for the issuance of a license to operate a private business school and the fee for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 31. The second sentence of the second paragraph of section 7 of said chapter 75D, as appearing in said section 1 of said chapter 1096, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:-

The fee for the issuance of such license and the fee for such renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 32. The first sentence of section 1D of chapter 90 of the General Laws, as appearing in section 4 of chapter 261 of the acts of 1976, is hereby amended by striking out the words "of three dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 33. The first sentence of section 3C of said chapter 90, as appearing in chapter 387 of the acts of 1937, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 34. The second sentence of section 3D of said chapter 90, as appearing in the Tercentenary Edition, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 35. The first sentence of section 3E of said chapter 90, as appearing in the Tercentenary Edition, is hereby amended by striking out the words " of two dollars".

SECTION 36. The next to last sentence of section 7A of said chapter 90, as amended by chapter 766 of the acts of 1974, is hereby further amended by striking out the words "two dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 37. The fourth paragraph of section 8A of said chapter 90 is hereby amended by striking out the second and third sentences, as inserted by section 5 of chapter 552 of the acts of 1976, and inserting in place thereof the following sentences:- Each such application shall be accompanied by an application fee which in no event shall be refunded. The application fee and an annual fee to maintain said certificate shall be determined by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 38. The third sentence of section 8E of said chapter 90, as appearing in section 1 of chapter 666 of the acts of 1977, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- , to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 39. The last sentence of section 8F of said chapter 90, as appearing in said section 1 of said chapter 666, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 40. The first sentence of section 8G of said chapter 90, as appearing in said section 1 of said chapter 666, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 41. Section 19 of said chapter 90, as appearing in section 1 of chapter 781 of the acts of 1977, is hereby amended by striking out the sixth and seventh sentence of the first paragraph and inserting in place thereof the following two sentences:-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, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each semitrailer or trailer. 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 a certain sum also to be determined by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 42. Section 32G of said chapter 90 is hereby amended by striking out the fourth, fifth, sixth, seventh, and eighth sentences of the first paragraph, as inserted by section 2 of chapter 770 of the acts of 1971, and inserting in place thereof the following sentences:- Each such application shall be accompanied by an application fee, which in no event shall be refunded. If an application is approved by the registrar, the applicant upon payment of an additional fee for a main office and for a branch office shall be granted a license, which shall be valid for a period of one year from the date of its issuance. There shall be an annual fee for each renewal thereof for a main office and for a branch office. Application, license, and renewal fees shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. The registrar shall issue a license certificate to each licensee, which certificate shall be conspicuously displayed in the place of business of the licensee. In case of the loss, mutilation, or destruction of a license certificate, the registrar shall issue a duplicate certificate upon a proper proof thereof and the payment of a fee to be determined also under the aforementioned chapter seven provision.

SECTION 43. The first paragraph of section 32H of said chapter 90, is hereby amended by striking out the fifth, sixth, and seventh sentences, as appearing in chapter 802 of the acts of 1963, and inserting in place thereof the following sentences:- Each such application shall be accompanied by an application fee which shall in no event be refunded. If an application is approved by the registrar, the applicant upon payment of an additional fee shall be granted a license, which shall be valid for a period of one year from the date of its issuance and shall be renewed annually. Such fees shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 44. Said chapter 90 is hereby further amended by striking out section 33, as most recently amended by chapter 684 of the acts of 1975, and inserting in place thereof the following section:-

Section 33. The registrar or his authorized agents shall collect fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for the following:-

For every examination for a learner's permit.

For the registration of every motor vehicle, the fee for which is not herein otherwise provided; and for the issuance in connection therewith, at the request of the applicant, of a distinctive initial plate, or of a particular number plate other than a distinctive initial plate; providing, however, for a similar fee for the issuance of a number plate bearing the station call letters of an amateur radio operator. The registrar shall make available to registered owners of motor vehicles any unissued or returned distinctive initialed or numbered registration plates.

For the registration of every ambulance owned and operated by any hospital or other institution or association supported wholly or in part by public or private donations for charitable purposes, and every motor vehicle or trailer used by the fire or police department of any city or town or park board solely for the official business of such department or board, and every motor vehicle or trailer used by a volunteer fire company, as authorized under chapter forty-eight, in any town solely for fire fighting purposes, no fee shall be collected hereunder.

For the registration of every motor vehicle and trailer owned by any political subdivision of the commonwealth, and used solely for official business, no fee shall be collected hereunder.

For the registration of every motor bus not owned as provided in the preceding paragraph which is used exclusively under contract with a political subdivision or school district of the commonwealth for the transportation of school children; provided, that

any such motor bus may also be used for the transportation of persons to and from church and Sunday school services, and for the transportation of children to and from educational or recreational projects sponsored by a city or town or by any association or organization supported wholly or in part by public or private donations for charitable purposes without the payment of additional registration fee. For the registration of every motor bus used for carrying passengers for hire pursuant to a certificate, license or permit issued by the department of public utilities in accordance with the provisions of chapter one hundred and fifty-nine A, a fee for each seat. This and the two preceding paragraphs shall apply to the registration of vehicles described therein regardless of whether they are designed to be propelled otherwise than by fuel as defined in section one of chapter sixty-four A, in this section referred to as "non-gasoline driven", or designed to be propelled by fuel as so defined, in this section referred to as "gasoline driven". The term "gasoline driven" as used in this section shall include vehicles propelled by Diesel fuel as defined in paragraph (d) of section one of said chapter sixty-four A.

(1) For the registration of every non-gasoline driven automobile used for the transportation of goods, wares or merchandise except an electric motor truck or an electric commercial automobile, or in the case of an electric motor truck or an electric commercial automobile so used, and of every gasoline driven automobile so used, for every one thousand pounds or fraction thereof of the gross weight of such vehicle plus the maximum load to be carried thereon, but in no event less than a specified amount in the case of a non-gasoline driven automobile so used, or a specified amount in the case of a gasoline driven automobile so used.

(2) For the registration of every non-gasoline driven tractor which is part of a semi-trailer unit used for the transportation of property, a fee for every one thousand pounds or fraction thereof of the weight of the tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer and tractor, and for the registration of every gasoline driven tractor which is a part of a semi-trailer unit so used, a fee for every one thousand pounds or fraction thereof of the weight of such tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer and tractor, a fee for every one thousand pounds or fraction thereof of the weight of such tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus

the maximum load to be carried by such semi-trailer and tractor, but in no event less than a specified amount in the case of a non-gasoline driven tractor which is a part of a semi-trailer unit, or less than a specified amount if gasoline driven.

(3) For the registration of every semi-trailer.

(4) For the registration of every heavy-duty platform trailer, a fee for every one thousand pounds or fraction thereof of the weight of such vehicle plus the maximum load to be carried, but in no event less than a specified amount.

(5) For the registration of every trailer for which a fee is not otherwise provided in this section, a fee for every one thousand pounds or fraction thereof of the weight of such trailer and the maximum load to be carried thereon.

(6) For the registration of every non-gasoline driven tractor not a part of a semi-trailer, a fee for every one thousand pounds or fraction thereof of the weight of the tractor and its equipment, but in no event less than a specified amount; and for the registration of every gasoline driven tractor not a part of a semi-trailer unit, a fee for every one thousand pounds or fraction thereof of the weight of the tractor and its equipment, but in no event less than a specified amount; except that the fee to be collected for the registration of a farm tractor not a part of a semi-trailer unit shall be a specified amount if the tractor is used exclusively for agricultural purposes. The provisions of subdivisions (1) to (6) shall not apply to any vehicle the fee for the registration of which is hereinbefore provided for in this section. The aforesaid weight shall mean the weight of such vehicle when fully equipped for the road. The registrar of motor vehicles may establish rules for determining the gross weight, including load, for which any vehicle shall be registered under subdivisions (1) to (6).

(7) For the registration of every motor truck carrying a permanently mounted water well drilling machine.

For the registration of every antique motor car.

For the registration of every auto home.

For the registration of every automobile known as a taxicab, a specified amount when non-gasoline driven and a specified amount when gasoline driven.

For the registration of every motor bus or other motor vehicle, the fee for the registration of which is not hereinbefore provided for, used for carrying passengers for hire and having a seating capacity of seven persons or less, a specified amount for each seat when non-gasoline driven and a specified amount for each seat when gasoline driven, and for the registration of every such motor bus or other vehicle having a seating capacity in excess of seven persons, a specified amount for each seat when non-gasoline

driven and a specified amount for each seat when gasoline driven, but in no event less than a specified amount when non-gasoline driven or a specified amount when gasoline driven. In determining seating capacity aforesaid the driver's seat shall not be included, but the largest number of passengers to be carried in seats shall be included.

For the registration of motor vehicles or trailers owned by or under the control of a manufacturer, dealer, repairman, owner-repairman, or farmer, including one or more number plates as requested in writing by the applicant for registration, a fee for the registration and a fee for each number plate furnished by the registrar. For the registration of motor vehicles under the control of a transporter, including one or more number plates and registration certificates as requested in writing by the applicant for registration, a fee for the registration and a fee for each number plate and corresponding certificate of registration furnished by the registrar.

For the registration of every motor vehicle used exclusively for the transportation of goods, wares or merchandise and for every tractor, trailer, semi-trailer, heavy-duty platform trailer, or motor truck carrying a permanently mounted water well drilling machine by an owner who applies therefor under section two during the period beginning with the first day of September and ending with the thirty-first day of December in any year, a specified amount of a full year's registration of said vehicle.

For the registration of every motor vehicle or trailer not specified in the preceding paragraph which the registrar has determined shall be issued on a calendar basis, by an owner who applies therefor under section two or section five during the period beginning with the first day of October and ending with the thirty-first day of December in any year, a specified amount of a full year's registration of said vehicle.

For the substitution of a registration of a motor vehicle or trailer for that of a vehicle previously registered, in accordance with section two.

For every license to operate motor vehicles or for the renewal thereof. No fee shall be collected for a license or renewal thereof restricted to the operation of motor-propelled fire apparatus only.

For each application for an appointment for an examination for a license to operate motor vehicles. The registrar, for reasons he deems sufficient, may authorize an applicant to be examined without payment of an additional fee when the applicant has been unable to take the examination at the time originally scheduled.

For every additional copy of a certificate of registration or license.

For every certified copy of any application or notice filed with the registrar and for every certified copy of a certificate of registration or license.

For every additional number plate furnished to replace such plates as have been lost or mutilated or are illegible.

For every copy of any record, or any certificate, the fee for which is not otherwise provided herein, except that when an owner has registered a vehicle for the ensuing registration year and thereafter transfers ownership of said vehicle to another before the beginning of said year, or when such owner changes his address before the beginning of said year, the registrar may issue to him a new registration certificate for another vehicle for the ensuing year, or a new registration certificate bearing the new address, without charge other than the additional difference, if any, between the fees for registration of the vehicle transferred and the vehicle sought to be registered for the ensuing year.

The registrar or his authorized agent may, however, furnish without charge copies of certificates of registration and licenses to operate, and copies of other documents relating thereto, to officers of the commonwealth or of any court thereof or of a city or town therein; and the registrar may issue certificates of registration for motor vehicles and licenses to operate the same to any member of the foreign diplomatic corps or to any foreign consular officer who is not a citizen of the United States without the payment of the fees therefor.

No fee shall be exacted for the registration of any vehicle owned by a disabled veteran who is entitled to display thereon the distinctive number plates authorized by section two, and no fee shall be exacted for the issuance to such disabled veteran of a license to operate such vehicle.

No fee shall be exacted for the registration of a bloodmobile unit or a canteen motor truck owned and used by a charitable corporation.

For a driving instructor's certificate which shall be valid for a period of one year from the date of issuance.

In the event that any fee computed under any provision of this chapter for the registration of any motor vehicle or trailer includes in its total an odd or even number of cents, such fee shall be adjusted to the nearest half dollar. If the payment of any such fee is made by check and said check is not duly paid, the registrar may, after hearing, revoke and order the return of any learner's permit, license to operate motor vehicles, certificates of registration, number plate, sticker, decal or other thing for which the check was tendered.

For the issuance of each permit sticker as provided in section

nineteen D, a specified amount for every one thousand pounds or fraction thereof of the weight of such motor vehicle, trailer, semi-trailer or semi-trailer unit, including the maximum load to be carried thereon, in excess of the maximum weight for which such motor vehicle, trailer, semi-trailer or semi-trailer unit may otherwise be operated under the provisions of section nineteen A.

SECTION 45. Section 49 of said chapter 90, as most recently amended by chapter 670 of the acts of 1965, is hereby further amended by striking out, in the last sentence of paragraph (a), the words, "fee not exceeding five dollars for each two-year period" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 46. Said section 49 of said chapter 90 is hereby further amended by striking out paragraph (b), as inserted by section 3 of said chapter 670, and inserting in place thereof the following paragraph:-

(b) Subject to the limitations of paragraphs (c) and (e), every person who operates an aircraft shall register the federal aircraft certificate of said aircraft with the commission during each period in which the aircraft is operated within the commonwealth. Every person who is a dealer in aircraft shall register his federal dealer's aircraft registration certificate with the commission. The commission may charge fees for each such registration and for each renewal thereof. Further, the commission may charge for the registration of each federal dealers aircraft registration certificate and for each aircraft in his possession operated solely for the purpose of sale or demonstration. The amounts of said fees and charges shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. Such fees shall be in lieu of all personal property taxes on aircraft authorized by any law, ordinance or by-law. Registration certificates issued after expiration of the first six months of the biennial registration period, as prescribed by the commission, shall be issued at the rate of seventy-five per cent of the biennial fee. Those issued after twelve months shall be charged fifty per cent; those issued after eighteen months twenty-five per cent.

SECTION 47. Paragraph (a) of section 3 of chapter 90B of the General Laws, as most recently amended by section 1 of chapter 142 of the acts of 1973, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The application shall be signed by the owner of the motorboat, and shall be forwarded to the director

together with a fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for an original certificate of number or renewal thereof, or for the substitution of a certificate of number of a motorboat for a motorboat previously numbered.

SECTION 48. The third paragraph of section 22 of said chapter 90B, as amended by section 2 of chapter 702 of the acts of 1975, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the following words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 49. The last paragraph of said section 22 of said chapter 90B, as most recently amended by chapter 16 of the acts of 1976, is hereby further amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

The fee for initial registration of recreation vehicles or snow vehicles owned by or under the control of a manufacturer or dealer and for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. The fee for the registration of each snow vehicle or recreational vehicle of a nonresident shall also be determined by the commissioner of administration. Such registration and each renewal thereof shall be valid for a period ending one year from the date of issuance or renewal, unless surrendered, suspended or revoked.

SECTION 50. The second paragraph of section 23 of said chapter 90B, as inserted by section 4 of chapter 702 of the acts of 1975, is hereby amended by striking out the words "of one dollar" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 51. Section 30 of said chapter 90B, as appearing in section 2 of chapter 589 of the acts of 1970, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 52. The first sentence of section 28 of chapter 90D of the General Laws, as most recently amended by section 6 of chapter 81 of the acts of 1973, is hereby further amended by striking out the entire sentence and inserting in place thereof the following sentence:- The registrar shall collect fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for the following: (1) For filing an application for a first certificate of

title or for a certificate of title after a transfer; (2) For each assignment of a security interest, or an addition of a lienholder; (3) For a duplicate, amended or corrected certificate of title; (4) For a certificate of search of its record for each name or identifying number searched against; and (5) For affixing a new identifying number to a vehicle.

SECTION 53. The second sentence of section 50 of chapter 91 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the words", not exceeding twenty-five dollars, to be fixed by the department" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 54. The last sentence of section 59B of said chapter 91, as appearing in section 2 of chapter 693 of the acts of 1970, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:- The fee for such annual license and for a renewal of such license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 55. The second paragraph of section 63 of said chapter 91, as appearing in section 5 of chapter 989 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- A uniform fee for such permits shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 56. The last paragraph of section 14N of chapter 93 of the General Laws, as appearing in section 1 of chapter 632 of the acts of 1958, is hereby amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

The fee for filing each statement of registration, which shall be paid to the state treasurer at the time of said filing, shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 57. The sixth sentence of section 21B of said chapter 93, as amended by section 3 of chapter 499 of the acts of 1952, is hereby further amended by striking out the entire sentence and inserting in place thereof the following sentence:- Every such license shall run for one year from date of issuance and the fee for an original license and for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 58. The second sentence of the third paragraph of section 21E of said chapter 93, as appearing in section 13 of

chapter 826 of the acts of 1977, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:- The fee for the issuance of such license and for such renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 59. The third sentence of section 24A of said chapter 93, as amended by section 1 of chapter 789 of the acts of 1969, is hereby further amended by striking out the words "one hundred dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 60. The last sentence of said section 24A of said chapter 93, as appearing in section 1 of chapter 87 of the acts of 1975, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the above provision.

SECTION 61. Section 24B of said chapter 93, as appearing in chapter 314 of the acts of 1971, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:- The cost of any investigation shall be borne by the applicant and shall be payable in such manner and at such time as the commissioner may direct. The maximum amount of any such investigation shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 62. The second sentence of section 24C of said chapter 93, as appearing in section 1 of chapter 346 of the acts of 1978, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:- The commissioner shall assess the licensee a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for each person participating in such investigation.

SECTION 63. The fourth sentence of section 10B of chapter 94 of the General Laws, as appearing in chapter 441 of the acts of 1935, is hereby amended by striking out the words "twenty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 64. The fifth sentence of section 16C of said chapter 94, as appearing in section 13 of chapter 940 of the acts of 1977, is hereby amended by striking out the words "of fifty cents each" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under

the provision of section three B of chapter seven.

SECTION 65. The fourth sentence of section 16K of said chapter 94, as appearing in section 19 of said chapter 940, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 66. The second sentence of section 28 of said chapter 94, as appearing in section 1 of chapter 1066 of the acts of 1971, is hereby amended by striking out the words "three dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 67. The fourth sentence of said section 28 of said chapter 94, as appearing in said section 1 of said chapter 1066, is hereby amended by striking out the words "of three dollars" and inserting in place thereof the words:- to be determined under the aforementioned chapter seven provision.

SECTION 68. The fourth sentence of section 28A of said chapter 94, as appearing in section 1 of chapter 1066 of the acts of 1971, is hereby amended by striking out the words "three dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 69. The next to last sentence of said section 28A of said chapter 94, as appearing in said section 1 of said chapter 1066, is hereby amended by striking out the words "of three dollars" and inserting in place thereof the words:- to be determined also under the aforementioned chapter seven provision.

SECTION 70. The last sentence of the second paragraph of section 42A of said chapter 94, as amended by section 1 of chapter 690 of the acts of 1970, is hereby further amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 71. Section 65S of said chapter 94, as appearing in section 1 of chapter 373 of the acts of 1934, is hereby amended by striking out the entire section and inserting in place thereof the following section:-

Section 65S. The fees for licenses and permits shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the following:-

License for retail manufacturer for each plant.

License or permit for wholesale manufacturer, to manufacture

within the commonwealth or to sell within the commonwealth, as the case may be. In every case where the department requests an inspection of the premises of the applicant to be made by a local board of health, the local board shall comply with said request.

SECTION 72. The third sentence of section 66 of said chapter 94, as appearing in the Tercentenary Edition, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- , as determined annually by the commissioner of administration under the provision of section three B of chapter seven, .

SECTION 73. The last sentence of section 120 of said chapter 94, as appearing in section 1 of chapter 891 of the acts of 1970, is hereby amended by striking out the words "twenty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 74. The first sentence of the first paragraph of section 152A of said chapter 94, as most recently amended by section 158 of chapter 706 of the acts of 1975, is hereby further amended by striking out the words "not exceed two dollars" and inserting in place thereof the words:- be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 75. Section 275 of said chapter 94, as appearing in section 17 of chapter 515 of the acts of 1965, is hereby amended by striking out the entire section and inserting in place thereof the following section:-

Section 275. The application for each license and annual license renewal shall be accompanied by a fee as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 76. The last sentence of the first paragraph of section 295B of said chapter 94, as most recently amended by section 12 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 77. The third sentence of section 303B of said chapter 94, as appearing in section 1 of chapter 177 of the acts of 1937, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 78. The second sentence of the first paragraph of

section 303J of said chapter 94, as appearing in chapter 481 of the acts of 1967, is hereby amended by striking out the words "of twenty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 79. Section 309 of said chapter 94, as appearing in section 3 of chapter 487 of the acts of 1963, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

The annual fees for licenses to operate vending machines shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 80. Paragraph (a) of section 9 of chapter 94A of the General Laws, as most recently amended by section 10 of chapter 757 of the acts of 1955, is hereby further amended by striking out the words "consisting of an amount to be from time to time determined by the commission, but not more than five dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 81. Paragraph (a) of section 7 of chapter 94C of the General Laws, as most recently amended by section 7 of chapter 1190 of the acts of 1973, is hereby further amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

(a) Except in the case of a pharmacy or wholesale druggist, every person who manufactures, distributes or dispenses, or possesses with intent to manufacture, distribute or dispense any controlled substance within the commonwealth shall upon payment of a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, register with the commissioner of public health, in accordance with his regulations, said registration to be effective for one year from the date of issuance. Every wholesale druggist shall register with the board of registration in pharmacy in accordance with its regulations. Such registration shall be effective until July first, nineteen hundred and seventy-four, if such registration is issued prior to July first, nineteen hundred and seventy-four. Such registration shall be effective until January first, nineteen hundred and seventy-six, if such registration is issued between July first, nineteen hundred and seventy-four, and January first, nineteen hundred and seventy-six. Such registration shall be effective until the end of the calendar year in which said registration is issued if registration is issued subsequent to December thirty-first, nineteen hundred and seventy-five; provided, that such wholesale drug-

gist shall pay a registration fee of twenty-five dollars for any initial registration issued prior to July first, nineteen hundred and seventy-four, and shall pay any registration fee of thirty-seven dollars and fifty cents for a registration which is issued between July first, nineteen hundred and seventy-four, and January first, nineteen hundred and seventy-six. Such wholesale druggist shall, commencing January first, nineteen hundred and seventy-six, pay an annual registration fee, the amount of which shall be determined by the commissioner of administration, for each year or any part thereof. For the purposes of this section, "wholesale druggist" shall mean any person who distributes controlled substances at wholesale. Every pharmacy shall register with the said board in accordance with its regulations. Such registration shall be effective until July first, nineteen hundred and seventy-four, if any registration is issued prior to July first, nineteen hundred and seventy-four. Such registration shall be effective until January first, nineteen hundred and seventy-six, if such registration is issued between July first, nineteen hundred and seventy-four, and January first, nineteen hundred and seventy-six. Such registration shall be effective until the end of the first uneven numbered year following the date of issuance of such registration if such registration is issued subsequent to December thirty-first, nineteen hundred and seventy-five; provided, that such pharmacy shall pay a registration fee of twenty-five dollars for an initial registration issued prior to midnight of July first, nineteen hundred and seventy-four, and shall pay a registration fee of thirty-seven dollars and fifty cents for any registration issued between July first, nineteen hundred and seventy-four, and January first, nineteen hundred and seventy-six, and shall, commencing January first, nineteen hundred and seventy-six, pay a biennial registration fee, the amount of which shall be determined by the commissioner of administration, for every two years, or any part thereof.

SECTION 82. Paragraph (b) of section 7 of said chapter 94C, as amended by section 14 of chapter 680 of the acts of 1972, is hereby further amended by striking out the words "fee of ten dollars" and inserting in place thereof the words:- fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 83. Subsection (e) of section 27 of said chapter 94C, as amended by section 17 of chapter 1190 of the acts of 1973, is hereby further amended by striking out, in the third sentence of the first paragraph, the words "ten dollars." and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 84. Subsection (e) of said section 27 of said chapter 94C, as amended by said section 17 of said chapter 1190, is hereby further amended by striking out, in the second sentence of the second paragraph, the words "of five dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 85. The second paragraph of section 12 of chapter 98 of the General Laws, as amended by chapter 373 of the acts of 1948, is hereby further amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

Fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for testing clinical thermometers shall be paid to the director for the use of the commonwealth; but no fee shall be charged for testing thermometers bearing the seal authorized by section thirteen other than those which have been voluntarily submitted for test by the director or inspectors of standards.

SECTION 86. The second sentence of section 3 of chapter 101 of the General Laws, as most recently amended by section 16 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "fee, of thirty dollars" and inserting in place thereof the words:- fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 87. The second sentence of section 6A of said chapter 101, as appearing in chapter 85 of the acts of 1938, is hereby amended by striking out the words "fee of two dollars" and inserting in place thereof the words:- fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 88. Section 22 of said chapter 101 is hereby amended by striking out the third, fourth and fifth sentences, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentences:- The licensee may go about carrying for sale or barter exposing therefor and selling or bartering in any town or city mentioned in his license any meats, butter, cheese, fish, fruits, vegetables or other goods, wares or merchandise, not prohibited in section sixteen, upon payment to the director of a fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each town or city based upon its population according to the then latest census, state or national, and the amount paid shall be certified on the face of the license. The director shall retain an amount, as determined by the commissioner of adminis-

tration under the provision of section three B of chapter seven, for every city and town named in each license, and shall pay over to the treasurers of the respective cities and towns at least semiannually the balance of said fees so received. The director may grant, as aforesaid, special state licenses upon payment by the applicant of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for each license; and the licensee may go about carrying for sale or barter, exposing therefor and selling or bartering in any city or town in the commonwealth any meats, butter, cheese, fish, fruits, vegetables, or other goods, wares, or merchandise, the sale of which is not prohibited by statute.

SECTION 89. The first sentence of the first paragraph of section 1 of chapter 105 of the General Laws, as appearing in section 1 of chapter 961 of the acts of 1977, is hereby amended by striking out the words "of two hundred fifty dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 90. Clause (b) of section 304 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 the words "of one hundred dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of adminstration under the provision of section three B of chapter seven.

SECTION 91. The last sentence of clause (i) of said section 304 of said chapter 110A, as appearing in said section 1 of said chapter 694, is hereby amended by striking out the words "of one hundred dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 92. The second and third sentences of the first paragraph of section 5E of chapter 111 of the General Laws, as appearing in chapter 677 of the acts of 1960, are hereby amended by striking out both sentences and inserting in place thereof the following two sentences:- The department shall, upon payment of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, issue such license to any person whom it deems responsible and qualified to apply chemicals to lakes, ponds, streams, and other bodies of water for the control of algae, weeds and aquatic nuisances. Such license shall be valid for a period of two years, and may upon payment of a similar fee be renewed by the department for a like period.

SECTION 93. The last paragraph of section 51 of said chapter 111, as appearing in section 1 of chapter 891 of the acts

of 1967, is hereby amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

The fee for the issue or renewal of each license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for a hospital or an institution for unwed mothers and for all clinics. The license shall not be transferable and shall be issued only for the premises described in the application.

SECTION 94. The last sentence of section 51A of said chapter 111, as appearing in section 2 of chapter 1186 of the acts of 1973, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 95. The twelfth paragraph of section 71 of said chapter 111, as appearing in section 1 of chapter 571 of the acts of 1979, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 96. The second sentence of the first paragraph of section 160A of said chapter 111, as appearing in chapter 613 of the acts of 1960, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 97. The fifth sentence of the first paragraph of section 184A of said chapter 111, as appearing in chapter 344 of the acts of 1939, is hereby amended by striking out the words "five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 98. The second sentence of the first paragraph of section 2 of chapter 112 of the General Laws, as appearing in section 2 of chapter 362 of the acts of 1975, is hereby amended by striking out the words "one hundred and twenty-five dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 99. The fourth sentence of the first paragraph of said section 2 of said chapter 112, as appearing in said section 2 of said chapter 362, is hereby amended by striking out the words "one hundred and twenty-five dollars" and inserting in place thereof the words:- a fee determined under the aforementioned provision.

SECTION 100. The second paragraph of said section 2 of said

chapter 112, as appearing in said section 2 of said chapter 362, is hereby amended by striking out the words "of seventy-five dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 101. The last sentence of the third paragraph of said section 2 of said chapter 112, as appearing in said section 2 of said chapter 362, is hereby amended by striking out the words "seventy-five dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 102. The last sentence of the fourth paragraph of said section 2 of said chapter 112, as appearing in said section 2 of said chapter 362, is hereby amended by striking out the words "of seventy-five dollars" and inserting in place thereof the words:-determined under the aforementioned chapter seven provision.

SECTION 103. The last sentence of the fifth paragraph of said section 2 of said chapter 112, as appearing in said section 2 of said chapter 362, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 104. Section 2A of said chapter 112, as most recently amended by section 2 of chapter 344 of the acts of 1959, is hereby further amended by striking out the words "of seventy-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 105. The first sentence of section 9 of said chapter 112, as appearing in chapter 252 of the acts of 1977, is hereby amended by striking out the words "five dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 106. The last sentence of section 9B of said chapter 112, as appearing in chapter 643 of the acts of 1979, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 107. Section 9G of said chapter 112, as appearing in section 1 of chapter 937 of the acts of 1973, is hereby amended by striking out the eighth paragraph and inserting in place thereof the following paragraph:-

Fees for the implementation of this section shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 108. The second sentence of the first paragraph of section 16 of said chapter 112, as inserted by section 18 of

chapter 925 of the acts of 1973, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 109. The third sentence of the first paragraph of said section 16 of said chapter 112, as most recently amended by section 19 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the words:- a fee to be determined annually under the aforementioned chapter seven provision.

SECTION 110. The last sentence of the first paragraph of said section 16 of said chapter 112, as most recently amended by said section 19 of said chapter 684, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the words:- a fee to be determined annually under the aforementioned chapter seven provision.

SECTION 111. The last sentence of the second paragraph of said section 16 of said chapter 112, as most recently amended by section 20 of said chapter 684, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the words:- a fee to be determined annually under the aforementioned chapter seven provision.

SECTION 112. The last sentence of the third paragraph of said section 16 of said chapter 112, as appearing in section 1 of chapter 363 of the acts of 1950, is hereby amended by striking out the words "one hundred dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 113. Section 16A of said chapter 112, as inserted by chapter 329 of the acts of 1979, is hereby amended by striking out in the first sentence of the first paragraph, the words "twenty-five dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 114. Section 16C of said chapter 112, as inserted by said chapter 329, is hereby amended by striking out, in the last sentence, the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 115. The last sentence of section 23B of said chapter 112, as appearing in section 1 of chapter 584 of the acts of 1975, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under

the provision of section three B of chapter seven.

SECTION 116. The last sentence of section 23D of said chapter 112, as appearing in section 1 of chapter 584 of the acts of 1975, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 117. The fourth sentence of section 23E of said chapter 112, as appearing in section 1 of chapter 584 of the acts of 1975, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 118. The last sentence of said section 23E of said chapter 112, as appearing in said section 1 of said chapter 584, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually under the aforementioned chapter seven provision.

SECTION 119. The first sentence of section 23G of said chapter
112, as appearing in section 1 of chapter 584 of the acts of 1975, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 120. The first sentence of section 24 of said chapter 112, as amended by section 22 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- a fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 121. The third sentence of said section 24 of said chapter 112, as amended by said section 22 of said chapter 684, is hereby further amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- a fee determined under the aforementioned provision.

SECTION 122. The seventh sentence of said section 24 of said chapter 112, as amended by said section 22 of said chapter 684, is hereby further amended by striking out the words "fifty dollars" and inserting in place thereof the words:- a fee determined under the aforementioned chapter seven provision.

SECTION 123. The third sentence of section 24A of said chapter 112, as amended by section 23 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of ten dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 124. The fifth sentence of said section 24A of said chapter 112, as appearing in chapter 575 of the acts of 1956, is hereby amended by striking out the words "of five dollars".

SECTION 125. The last line of said section 24A of said chapter 112, as appearing in said chapter 575, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 126. The first and second sentences of section 36B of said chapter 112, as most recently amended by section 24 of chapter 684 of the acts of 1972, are hereby further amended by striking out the words "of one hundred dollars" in both sentences and inserting in both sentences in place thereof the words:-to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 127. The last sentence of the first paragraph of section 39 of said chapter 112, as most recently amended by section 25 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "thirty-five dollars for two years, or any part thereof" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 128. The first sentence of section 44 of said chapter 112, as most recently amended by section 3 of chapter 757 of the acts of 1977, is hereby further amended by striking out the entire 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 to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, 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 an additional sum determined under the aforementioned provision, shall remove the default.

SECTION 129. The second sentence of the first paragraph of section 45 of said chapter 112, as appearing in section 4 of chapter 757 of the acts of 1977, is hereby amended by striking out the words "seventy-five dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 130. The third sentence of the first paragraph of

said section 45 of said chapter 112, as most recently amended by section 27 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- a fee determined under the aforementioned provision.

SECTION 131. The fourth sentence of the first paragraph of said section 45 of said chapter 112, as most recently amended by said section 27 of said chapter 684, is hereby further amended by striking out the words "of forty dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 132. The first sentence of section 45A of said chapter 112, as appearing in section 5 of chapter 757 of the acts of 1977, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 133. The first sentence of section 48 of said chapter 112, as appearing in section 5 of chapter 583 of the acts of 1965, is hereby amended by striking out the words "of seventy-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 134. The first paragraph of section 51 of said chapter 112, as most recently amended by section 7 of chapter 757 of the acts of 1977, is hereby further amended by striking out the words "twenty dollars" and inserting in place thereof the words:- a fee determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 135. The fifth paragraph of said section 51 of said chapter 112, as appearing in section 7 of chapter 584 of the acts of 1965, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- determined under the aforementioned chapter seven provision.

SECTION 136. The last paragraph of said section 51 of said chapter 112, as appearing in section 8 of chapter 757 of the acts of 1977, is hereby amended by striking out the entire 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 determined under the aforementioned provision, 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 an additional sum determined under the afore-

mentioned provision, shall remove the default.

SECTION 137. The second sentence of the first paragraph of section 55 of said chapter 112, as appearing in section 3 of chapter 451 of the acts of 1975, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:-a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 138. The second paragraph of said section 55 of said chapter 112 is hereby amended by striking out the first sentence, as appearing in said section 3 of said chapter 451, and inserting in place thereof the following sentence:- Every registered veterinarian shall annually, before March first, pay to the board a license fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, in default of which the board may revoke his license and his authority to practice veterinary medicine thereunder, after a hearing as provided by section eleven; but the payment of said fee at or before the time of hearing, with an additional sum to be determined under the aforementioned chapter seven provision, shall remove the default.

SECTION 139. Section 56C of said chapter 112, as appearing in section 4 of chapter 451 of the acts of 1975, is hereby amended by striking out the words "of seventy-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 140. Section 60B of said chapter 112 is hereby amended by striking out the second paragraph, as appearing in chapter 445 of the acts of 1973, and inserting in place thereof the following paragraph:-

Every applicant for registration as an architect shall pay to the board, upon filing his original application or an additional application, a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven. Every applicant for registration by the National Council of Architectural Registration Boards, who is required by said council to submit to a standard junior or senior examination to be conducted by the board, shall pay to the board a fee as determined under the aforementioned provision.

SECTION 141. The third sentence of section 60D of said chapter 112, as most recently amended by section 2 of chapter 753 of the acts of 1971, is hereby further amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 142. The last sentence of said section 60D of said

chapter 112, as most recently amended by said section 2 of said chapter 753, is hereby further amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 143. The second paragraph of section 60E of said chapter 112, as most recently amended by section 3 of chapter 753 of the acts of 1971, is hereby further amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 144. The last sentence of section 60H of said chapter 112, as appearing in section 2 of chapter 696 of the acts of 1941, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 145. The second sentence of the first paragraph of section 68 of said chapter 112, as most recently amended by section 22 of chapter 925 of the acts of 1973, is hereby further amended by striking out the words ", the fee for which shall be five dollars, to be paid by the applicant".

SECTION 146. The first paragraph of said section 68 of said chapter 112, as most recently amended by said section 22 of said chapter 925, is hereby further amended by striking out the third and fourth sentences and inserting in place thereof the following sentences:- The fee for such examination and for the examination for registration shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, and those passing the examination shall receive the certificate of registration without additional charge. Any applicant who fails to pass a satisfactory examination for registration shall be entitled at any subsequent regular examination held by the board to additional examinations, and for each subsequent examination a fee determined under the aforementioned provision shall be paid.

SECTION 147. The last sentence of the second paragraph of said section 68 of said chapter 112, as appearing in section 2 of chapter 339 of the acts of 1934, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined under the aforementioned chapter seven provision.

SECTION 148. The first paragraph of section 69 of said chapter 112, as appearing in chapter 463 of the acts of 1949, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Every registered optometrist shall, annually, before February first, pay to the board

a license fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, in default of which the board may revoke his certificate and his authority to practice optometry thereunder, after a hearing as provided by section seventy-one; but the payment of said fee at or before the time of the hearing, with such additional sum as determined under the aforementioned provision, shall remove the default.

SECTION 149. The first sentence of the first paragraph of section 73E of said chapter 112, as appearing in chapter 440 of the acts of 1967, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:-to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 150. The second paragraph of said section 73E of said chapter 112, as appearing in section 2 of chapter 688 of the acts of 1955, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 151. The first sentence of the third paragraph of said section 73E of said chapter 112, as appearing in said section 2 of said chapter 688, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- as determined under the aforementioned chapter seven provision.

SECTION 152. The first sentence of section 73G of said chapter 112, as amended by chapter 164 of the acts of 1956, is hereby further amended by striking out the entire sentence and inserting in place thereof the following sentence:- Every licensed dispensing optician shall, biennially, on or before his birthday, pay to the board a license fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, in default of which the board may, after a hearing, revoke or suspend his license; but the payment of said fee at or before the time of hearing, with an additional sum as determined under the aforementioned provision shall remove the default, revocation or suspension.

SECTION 153. The third sentence of section 73K of said chapter 112, as appearing in section 2 of chapter 688 of the acts of 1955, is hereby amended by striking out the words "of one dollar" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 154. The third sentence of section 74 of said chapter 112, as most recently amended by section 1 of chapter 265 of the acts of 1973, is hereby further amended by striking out the

words "thirty dollars" and inserting in place thereof the words:- a fee as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 155. The fourth sentence of said section 74 of said chapter 112, as most recently amended by section 32 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of thirty dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 156. The fifth sentence of said section 74 of said chapter 112, as appearing in section 1 of chapter 884 of the acts of 1977, is hereby further amended by striking out the words "six dollars" and inserting in place thereof the words:- a fee as determined under the aforementioned provision.

SECTION 157. The third sentence of section 74A of said chapter 112, as appearing in chapter 85 of the acts of 1977, is hereby amended by striking out the words "thirty dollars" and inserting in place thereof the words:- a fee as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 158. The fourth sentence of said section 74A of said chapter 112, as most recently amended by section 35 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of thirty dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 159. The fifth sentence of said section 74A of said chapter 112, as most recently amended by section 36 of said chapter 684, is hereby further amended by striking out the words "six dollars" and inserting in place thereof the words:- a fee as determined under the aforementioned provision.

SECTION 160. The second sentence of section 76 of said chapter 112, as most recently amended by section 37 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 161. Section 76A of said chapter 112 is hereby further amended by striking out the third sentence, as most recently amended by section 38 of chapter 684 of the acts of 1972, and inserting in place thereof the following sentence:- The fee for certification and renewal under this section shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 162. The second paragraph of section 81K of said chapter 112, as appearing in section 2 of chapter 588 of the acts of 1975, is hereby amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

Registration and examination fees for professional engineers and land surveyors, which shall accompany each particular application, shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 163. The second sentence of section 81N of said chapter 112, as most recently amended by section 41 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of fifteen dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 164. The third sentence of said section 81N of said chapter 112, as most recently amended by section 42 of said chapter 684, is hereby further amended by striking out the words "of twenty dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 165. The sixth sentence of said section 81N of said chapter 112, as most recently amended by section 4 of chapter 588 of the acts of 1975, is hereby further amended by striking out the words "of thirty dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 166. The second sentence of section 81Q of said chapter 112, as amended by section 5 of chapter 588 of the acts of 1975, is hereby further amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 167. The second sentence of the second paragraph of section 83 of said chapter 112, as most recently amended by section 43 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "twenty dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 168. The first sentence of the fourth paragraph of said section 83 of said chapter 112, as most recently amended by section 44 of said chapter 684, is hereby further amended by striking out the words "twenty dollars" and inserting in place thereof the words:- a fee as determined under the aforementioned provision.

SECTION 169. The fifth paragraph of said section 83 of said chapter 112, as most recently amended by section 45 of said chapter 684, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the words:- a fee as determined under the aforementioned provision.

SECTION 170. The third sentence of the sixth paragraph of said section 83 of said chapter 112, as most recently amended by section 46 of said chapter 684, is hereby further amended by striking out the words "of ten dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 171. The last sentence of the eighth paragraph of said section 83 of said chapter 112, as most recently amended by section 47 of said chapter 684, is hereby further amended by striking out the words "of five dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 172. The third sentence of the last paragraph of said section 83 of said chapter 112, as most recently amended by section 48 of said chapter 684, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 173. The second paragraph of section 84 of said chapter 112, as amended by section 49 of chapter 684 of the acts of 1972, is hereby further amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

Any person holding a registration certificate issued under the provisions of section eighty-three may have the same renewed by making and filing with the board an application therefor within thirty days preceding the expiration of his certificate upon blanks provided by said board, and upon payment of renewal fees to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for each embalmer's, funeral director's, or apprentice embalmer's certificate; provided that any person neglecting or failing to have his embalmer's or funeral director's certificate so renewed, may have the same renewed by making application therefor during the twenty days following the expiration date, and upon payment of a revival fee, as determined under the aforementioned provision, in addition to the renewal fee.

SECTION 174. The third paragraph of subsection (a) of section 87A of said chapter 112, as appearing in section 2 of chapter 663 of the acts of 1963, is hereby amended by striking out clause (8) and inserting in place thereof the clause:-

(8) the fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for examinations and reexaminations;.

SECTION 175. Subsection (d) of said section 87A of said chapter 112, as appearing in section 1 of chapter 693 of the acts of 1972, is hereby amended by striking out the words "of ten dol-

lars" and inserting in place thereof the words:- , as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 176. Section 87B of said chapter 112 is hereby amended by striking out paragraph (b), as inserted by section 2 of chapter 693 of the acts of 1972, and inserting in place thereof the following paragraph:-

(b) Permits to engage in the practice of public accounting in the commonwealth shall be issued by the board to persons holding certificates and registered, to partnerships and professional corporations registered, as certified public accountants under section eighty-seven A or under this section, and to persons, partnerships and professional corporations registered as public accountants under the laws of the commonwealth. The fee for such permit shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. Each such permit shall expire on the last day of June of the year next following the year of issuance. The fee for any partnership or professional corporation shall be in addition to the fees for any partners, employees, officers, directors or shareholders thereof. Such permit shall be renewed by the board for a period of two years, upon application by such certificate holders and registrants, subject to the provisions of section eighty-seven C and upon payment of a biennial renewal fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven. Failure of a certificate holder or registrant to apply for such biennial permit to practice within four years from the expiration date of the permit last obtained or renewed, or four years from the date upon which the certificate holder or registrant was granted his certificate or registration, if no permit was ever issued to him, shall deprive him of the right to such permit, unless the board, in its discretion, determines such failure to have been due to good cause. In any case in which the permit could have been issued, but was not, the renewal or issuance fee, as the case may be, shall equal the aggregate of the biennial permits fees for the periods for which no permit was issued.

SECTION 177. The first sentence of the first paragraph of section 87H of said chapter 112, as most recently amended by section 1 of chapter 471 of the acts of 1963, is hereby further amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- , as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 178. The second paragraph of said section 87H of said chapter 112, as most recently amended by chapter 829 of

the acts of 1971, is hereby further amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

Any applicant failing to pass an examination satisfactory to the board shall thereafter be entitled to reexamination by payment of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven and by filing a reexamination application upon a form furnished by the board, but two reexaminations shall exhaust his privilege under his original application, and if he fails to apply for reexamination within one year after his original examination, or to appear for reexamination when notified so to do, his reexamination privilege for such original application shall be forfeited. Each such certificate of registration issued by the board shall expire on December thirty-first of the second year following the date of issue. The board may renew any such registration, and issue a certificate thereof, upon the payment of a renewal fee as determined under the aforementioned provision. Any person holding a certificate or renewal certificate which has expired may have such certificate or renewal certificate reinstated within one year of the date of expiration upon payment of a fee as determined under the aforementioned provision. If a person fails to have such certificate or renewal certificate reinstated within said year, he shall thereafter be registered as a barber only upon application to the board for examination, accompanied by a fee as determined under the aforementioned provision. Before any registered barber opens a barber shop, or moves his barber shop to a new location, or operates a barber shop previously approved for a prior owner, he shall apply to the board for an inspection and approval thereof, and the board shall receive a fee as determined under the aforementioned provision for each inspection, and, upon the approval of such barber shop, the board shall issue a certificate of registration for such barber shop, which shall without further fee be in force, unless sooner cancelled, suspended or revoked, until June thirtieth next following the date of its issuance. All certificates of registration for barber shops shall be renewed biennially by filing applications therefor on forms supplied by the board and the payment of a fee as determined under the aforementioned provision, and such renewal shall, unless cancelled, suspended or revoked, be in full force and effect until June thirtieth of the second year following its issuance. The board may suspend, revoke, or refuse to renew a certificate of registration issued by it for a barber shop if it finds, after a hearing, notice of which shall be given to the owner or operator of such shop, that any of its rules and regulations have been violated in said shop, that persons not author-

ized to practice the occupation of barbering have been employed therein as barbers or apprentices, or that there has been a violation in said shop of any provision of sections eighty-seven F to eighty-seven R, inclusive.

SECTION 179. The fifth paragraph of said section 87H of said chapter 112, as inserted by chapter 587 of the acts of 1969, is hereby amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

Examination, reexamination, and renewal fees for an apprentice shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 180. The second sentence of section 87I of said chapter 112, as appearing in section 2 of chapter 579 of the acts of 1948, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- , as determined annually by the commissioner of administration under the provision of section three B of chapter seven, .

SECTION 181. Said section 87I of said chapter 112 is hereby amended by striking out the seventh sentence, as inserted by chapter 292 of the acts of 1958, and inserting in place thereof the following sentence:- Fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, shall be paid upon filing an application for such permit, and thereafter for each annual renewal thereof.

SECTION 182. The eighth sentence of said section 87I of said chapter 112, as inserted by chapter 781 of the acts of 1971, is hereby amended by striking out the words "of eight dollars" and inserting in place thereof the words:- as determined annually under the aforementioned chapter seven provision.

SECTION 183. The ninth sentence of said section 87I of said chapter 112, as inserted by said chapter 781, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- as determined annually under the aforementioned chapter seven provision.

SECTION 184. The twelfth sentence of said section 87I of said chapter 112, as appearing in section 2 of chapter 579 of the acts of 1948, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- as determined annually under the aforementioned chapter seven provision.

SECTION 185. The first paragraph of section 87P of said chapter 112 is hereby amended by striking out the fourth sentence, as inserted by chapter 287 of the acts of 1958, and inserting in place thereof the following sentence:- The fee for such permit and the fee for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 186. The second sentence of the second paragraph of said section 87P of said chapter 112, as appearing in section 1 of chapter 510 of the acts of 1963, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 187. The last sentence of the second paragraph of said section 87P of said chapter 112, as appearing in said section 1 of said chapter 510, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually under the aforementioned chapter seven provision.

SECTION 188. The second paragraph of section 87Z of said chapter 112, as appearing in chapter 806 of the acts of 1977, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- The fees for such temporary licenses shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 189. The second sentence of the first paragraph of section 87BB of said chapter 112, as appearing in chapter 758 of the acts of 1979, is hereby amended by striking out the words "of fifteen dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 190. The fourth sentence of the first paragraph of said section 87BB of said chapter 112, as appearing in said chapter 758, is hereby amended by striking out the words "of fifteen dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 191. The third paragraph of section 87CC of said chapter 112, as inserted by chapter 806 of the acts of 1977, is hereby amended by striking out the entire paragraph and inserting in place thereof the following paragraph:-

Certificate of registration and any renewal fees thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the following applications:- School; aesthetic shop; beauty shop; booth renter; manicure shop; aesthetician; hairdressers' hairdressers (nonresidents); hairdressers (reexamination); operators; operators (reexamination); operators (nonresidents); manicurist; manicurist (reexamination); manicurist (nonresidents); instructors; instructors (reexamination); demonstrators; duplicate certificate of registration; new certificate of registration to reg-

istered shop owners upon change of location; temporary license for operator (nonresident); temporary license for hairdresser (nonresident); temporary license for aesthetician (nonresident); temporary license for instructor; temporary license for manicurist; temporary license for nonresident manicurist; hairdresser forfeiture; temporary license for hairdresser forfeiture; operator forfeiture; temporary license for operator forfeiture.

SECTION 192. The second sentence of the last paragraph of said section 87CC of said chapter 112, as inserted by said chapter 806, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- As determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 193. The third sentence of section 87GG of said chapter 112, as appearing in chapter 806 of the acts of 1977, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- , as determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 194. The third sentence of the first paragraph of section 87MM of said chapter 112, as appearing in section 2 of chapter 673 of the acts of 1957, is hereby amended by striking out the words "of fifteen dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 195. The last sentence of said section 87MM of said chapter 112, as appearing in said section 2 of said chapter 673, is hereby amended by striking out the words "five dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 196. Section 87TT of said chapter 112 is hereby amended by striking out the first and second sentences, as appearing in section 2 of chapter 363 of the acts of 1961, and inserting in place thereof the following sentences:-

Applications for licenses, signed and sworn to by the applicant, shall be made on forms furnished by the board and shall be accompanied by an examination fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven. A fee for the issuance of the license shall be determined under the aforementioned provision and shall be payable upon receipt of notice of passing the examination.

SECTION 197. The second sentence of the second paragraph of section 87UU of said chapter 112, as amended by section 51 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of seventy-five dollars" and inserting in place thereof the words:- ,as determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 198. Section 87ZZ of said chapter 112, as most recently amended by chapter 300 of the acts of 1975, is hereby further amended by striking out the section and inserting in place thereof the following section:-

Section 87ZZ. Fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, shall be paid by individuals in advance for the following:-

(a) Examination for a broker's license or a salesman's license; provided however that a veteran holding an honorable discharge or a blind person shall not be required to pay any examination fee; and provided, further, in the event the examination is conducted by an independent testing service designated by the board under the authority of section eighty-seven SS, in addition to the above fee, each individual shall pay to the testing service a fee, approved by the board, covering the actual cost of giving the examination.

(b) Issuance and renewal of a broker's license; provided, however, that a blind person or a veteran suffering from paraplegia, as defined in section six B of chapter one hundred and fifteen, shall not be required to pay such fee.

(c) Issuance and renewal of a salesman's license; provided, however, that a blind person or a veteran suffering from paraplegia, as defined in section six B of chapter one hundred and fifteen, shall not be required to pay such fee.

(d) The applicable fee for the issuance of a license shall be adjusted by the board on the basis of each month during which the license originally issued would be valid unless revoked or suspended and, for this purpose, any part of a month shall be considered as a full month.

SECTION 199. The second sentence of the first paragraph of section 87GGG of said chapter 112, as appearing in section 2 of chapter 625 of the acts of 1958, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 200. The last sentence of the first paragraph of said section 87GGG of said chapter 112, as appearing in said section 2 of said chapter 625, is hereby amended by striking out the words "thirty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 201. The third sentence of the first paragraph of section 87LLL of said chapter 112, as appearing in section 2 of

chapter 518 of the acts of 1964, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 202. The fifth sentence of the first paragraph of said section 87LLL of said chapter 112, as appearing in said section 2 of said chapter 518, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 203. The eleventh sentence of the first paragraph of said section 87LLL of said chapter 112, as appearing in chapter 782 of the acts of 1973, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- as determined under the aforementioned provision.

SECTION 204. The second sentence of the second paragraph of said section 87LLL of said chapter 112, as appearing in section 2 of chapter 518 of the acts of 1964, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 205. The fifth sentence of the second paragraph of said section 87LLL of said chapter 112, as appearing in said section 2 of said chapter 518, is hereby amended by striking out the words "ten dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 206. The first sentence of the first paragraph of section 87 OOO of said chapter 112, as appearing in section 2 of chapter 625 of the acts of 1958, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 207. The first sentence of the second paragraph of said section 87 OOO of said chapter 112, as amended by section 29 of chapter 925 of the acts of 1973, is hereby further amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 208. The last sentence of the second paragraph of said section 87 OOO of said chapter 112, as appearing in chapter 137 of the acts of 1967, is hereby amended by striking out the words "thirty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 209. The first sentence of the first paragraph of section 87RRR of said chapter 112, as amended by section 55 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 210. Section 87UUU of said chapter 112, as amended by chapter 517 of the acts of 1967, is hereby further amended by striking out the entire section and inserting in place thereof the following section:-

Section 87UUU. Fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, shall be payable in advance to the board for the following:

(a) Original examination.

(b) Any subsequent examination.

(c) Issuance of original master technician license and renewal thereof.

(d) Issuance of original technician license and renewal thereof.

SECTION 211. The third sentence of section 87XXX of said chapter 112, as appearing in section 2 of chapter 521 of the acts of 1970, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 212. The last sentence of said section 87XXX of said chapter 112, as appearing in said section 2 of said chapter 521, is hereby amended by striking out the words "five dollars" and inserting in place thereof the words:- determined under the aforementioned provision.

SECTION 213. Section 87AAAA of said chapter 112 is hereby amended by striking out the fourth sentence, as appearing in chapter 736 of the acts of 1975, and inserting in place thereof the following sentence:- The fee for the original certificate and for any renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 214. The last sentence of said section 87AAAA of said chapter 112, as appearing in said chapter 736, is hereby amended by striking out the words "ten dollars" and inserting in place thereof the words:- determined annually under the aforementioned chapter seven provision.

SECTION 215. The fourth sentence of section 87CCCC of said chapter 112, as inserted by chapter 622 of the acts of 1975, is hereby amended by striking out the entire sentence and inserting in place thereof the following sentence:- The fee for the

original certificate and for any renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 216. Section 88 of said chapter 112, as most recently amended by chapter 410 of the acts of 1956, is hereby further amended by striking out the entire section and inserting in place thereof the following section:-

Section 88. Except as otherwise provided in section thirty-three of chapter ninety, every board of registration or examination established by the commonwealth shall establish rules and regulations stipulating what information is to be furnished in a certified statement of registration and shall collect fees to be determined by the commissioner of administration under the provision of section three B of chapter seven for the following:-

(1) Certified statement of registration and any additional information.

(2) Duplicate certificates of registration, upon satisfactory evidence that the original certificate has been lost or destroyed.

(3) Duplicate certificates of registration issued under sections eighty-seven T to eighty-seven JJ; provided, however, that if the original certificate of registration issued under said sections has been lost or destroyed by fire, flood or hurricane, a duplicate certificate of registration may be issued for the unexpired term without fee.

SECTION 217. Section 91 of said chapter 112 is hereby amended by striking out the second sentence, as appearing in chapter 453 of the acts of 1968, and inserting in place thereof the following sentence:- Said application shall be filed with the secretary of the board at least thirty days before the date of examination, and shall be accompanied by an examination fee as determined annually by the commissioner of administration under the provision of section three B of chapter seven or, in the case of reexamination, each applicant shall pay a fee as determined under the aforementioned provision for each subject upon which he is reexamined.

SECTION 218. The first sentence of section 92 of said chapter 112, as appearing in chapter 137 of the acts of 1968, is hereby amended by striking out the words "of one hundred dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 219. Section 96 of said chapter 112 is hereby amended by striking out the second sentence, as appearing in section 3 of chapter 447 of the acts of 1972, and inserting in place thereof the following sentence:- Every registered chiropractor practicing as aforesaid shall annually, before April first,

pay to the board a license fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 220. Section 103 of said chapter 112, as amended by section 56 of chapter 684 of the acts of 1972, is hereby further amended by striking out the entire section and inserting in place thereof the following section:-

Section 103. Fees for landscape architects shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven and shall be paid to the board for the following:-

(a) Annual registration fee on or before the thirty-first day of January of each year, if not so paid, a penalty shall be added to the amount thereof.

(b) Failure to renew certificate of registration within sixty days after notification by the board that his certificate has expired, shall, before again using the title of landscape architect within the commonwealth, be required to reregister, and may be required by the board to be reexamined.

(c) Application fee for examination.

(d) An original certificate.

(e) A duplicate certificate.

SECTION 221. The last sentence of the first paragraph of section 111 of said chapter 112, as appearing in section 2 of chapter 865 of the acts of 1970, is hereby amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 222. The last sentence of the second paragraph of said section 111 of said chapter 112, as appearing in said section 2 of said chapter 865, is hereby amended by striking out the words "five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 223. Section 126 of said chapter 112, as appearing in section 2 of chapter 1021 of the acts of 1971, is hereby amended by striking out the entire section and inserting in place thereof the following section:-

Section 126. The following fees shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven and shall be collected by the board: (a) Application fee, (b) Initial license fee, (c) Temporary license fee, (d) Biennial renewal fee.

SECTION 224. The first sentence of the second paragraph of section 136 of said chapter 112, as inserted by section 2 of chap-

ter 818 of the acts of 1977, is hereby amended by striking out the words "as set by the board" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 225. The second sentence of the fourth paragraph of section 14B of chapter 129 of the General Laws, as inserted by chapter 347 of the acts of 1967, is hereby amended by striking out the words "fee in the sum of five dollars" and inserting in place thereof, the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provisions of section three B of chapter seven for the filing thereof.

SECTION 226. The first sentence of section 39 of said chapter 129, as inserted by chapter 312 of the acts of 1971, is hereby amended by striking out the words "five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 227. The first sentence of section 39A of said chapter 129, as inserted by chapter 993 of the acts of 1971, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 228. The first sentence of section 40 of said chapter 129, as inserted by chapter 312 of the acts of 1971, is hereby amended by striking out the words "fee of fifty cents." and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 229. Section 77 of chapter 130 of the General Laws, as most recently amended by chapter 293 of the acts of 1978, is hereby further amended by striking out the words "the sum of one dollar and fifty cents per one-half bushel." and inserting in place thereof the words:- an amount which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 230. Said chapter 130 is hereby amended by striking out section 83, as most recently amended by chapter 262 of the acts of 1974, and inserting in place thereof the following section:-

Section 83. For the purpose of defraying the cost of the division's research, management and activities, including administrative and operating expenses, and the costs of issuing the following permits and the inspection relative thereto, fees, the

amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof, shall be paid to the director by the person to whom the same is issued for any calendar year or part thereof.

Type of Permit

A. Commercial Fisherman (For the taking of fish for sale)
Individual (For named individual only)
Shellfish
Rod and Reel - Unlimited
(For the sale of finfish lawfully taken by rod and reel or by diving)
Boat (100 feet or more in total length)
(60 to 99 feet in total length)
(up to 59 feet in total length)
Lobster (for the taking of lobsters for sale)
Seasonal lobster

B. Wholesale dealer (Any wholesaler dealing in fresh or raw fish)

C. Retail dealer (any retailer dealing in fresh or raw fish)

D. Special Permits
Noncommercial lobster and crab (up to 10 pots and/or diving privileges)
Contaminated shellfish (bait)
Master Digger
Subordinate Digger
Regulated fishery (for fishing in special areas, etc.)
Other, miscellaneous

E. Duplicate (Replacing originals)

SECTION 231. Section 4 of chapter 131 of the General Laws, as most recently amended by chapter 726 of the acts of 1979, is hereby further amended by striking out clause (2) and inserting in place thereof the following clause:-

(2) notwithstanding any other provisions of this chapter, but subject to federal law, rules and regulations, take or in writing authorize other persons to take and possess fish, fish spawn, birds, the nest or eggs thereof, mammals, reptiles or amphibians at any time or in any manner for purposes of observation, research, control or management for which a fee shall be charged, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, and, in the director's discretion, excuse certain persons so authorized from any licensing provision of this chapter and he may, subject to federal law, rules and regulations, regulate the trapping and taking of raptors for the purpose of falconry in accordance with rules and regulations established

under the provisions of section five;.

SECTION 232. Said chapter 131 is hereby amended by striking out section 11, as most recently amended by chapter 767 of the acts of 1979, and inserting in place thereof the following section:-

Section 11. A person shall not fish in any inland waters of the commonwealth unless he is a minor under fifteen years of age, nor hunt or trap any bird or mammal except as otherwise provided in sections four, fourteen, fifteen, twenty, twenty-one, twenty-three and thirty-seven without first having obtained a sporting, hunting, fishing or trapping license.

Sporting, hunting, fishing and trapping licenses shall be issued to the following classes of persons upon payment of the appropriate fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven:- (1) A citizen of the United States, resident in the commonwealth for at least six consecutive months immediately prior to his application for such license, and (2) a person who is on active duty in the armed forces of the United States and is stationed within the commonwealth. No fee shall be charged for any license issued under this paragraph to a person over the age of seventy, or for a fishing or hunting license issued under this paragraph to a paraplegic, or for a fishing license issued under this paragraph to a person who is blind or mentally retarded.

Hunting and fishing licenses shall be issued upon payment of the appropriate fee to any citizen of the United States who does not meet the requirements of the preceding paragraph. The amounts of the fees for the following licenses shall be determined pursuant to the aforementioned chapter seven provision:- a big game hunting license which shall apply to the hunting of all game including deer and bear; a small game hunting license, which shall apply to game excepting deer and bear; a nonresident small game hunting license for commercial shooting preserves and good for three consecutive days; a fishing license; a fishing license covering all the inland waters and good for seven consecutive days specified on the license. In the case of the aforementioned three and seven day licenses, said days shall be so specified on the license and the duration of the license shall be so limited, notwithstanding any provisions of section eighteen and section thirty-two. The director or any person duly authorized under the provisions of section twelve, may issue at no fee nonresident hunting and fishing licenses to a nonresident person who is a paraplegic; provided, that said nonresident shows sufficient evidence to the issuing agent that he or she is so afflicted; and provided, further, that the state in which said nonresident is a resident provides a reciprocal privilege to residents of this

commonwealth who are similarly afflicted. The director is hereby authorized to issue such licenses in such form as he may prescribe.

Fishing and hunting licenses shall be issued to aliens who have established residence in the commonwealth for a period of at least six consecutive months immediately prior to making application providing that, in the case of hunting, the applicant shall hold a valid permit issued under the provisions of section one hundred and thirty-one H of chapter one hundred and forty.

All other aliens shall be charged the same fees as nonresidents under paragraph three, but prior to obtaining a hunting license, an alien shall hold a valid permit issued under the provisions of section one hundred and thirty-one H of chapter one hundred and forty.

The fee for an archery stamp issued under section thirteen and the portion of such fee which the authorized agent or city or town clerk issuing such stamp may retain shall be determined under the aforementioned chapter seven provision.

The fee for a Massachusetts waterfowl stamp issued under section thirteen, the designated portion of said fee which may be retained by the authorized agent or city or town clerk issuing such stamp and the amount which shall be transferred to the state treasurer for deposit and disbursement, shall be determined by the commissioner of administration annually pursuant to the aforementioned provision. The state treasurer shall forward, upon request of the director and subject to annual appropriation, eighty cents of the fee for each stamp issued to Ducks Unlimited, Inc., of Chicago, Illinois pursuant to an agreement between the director and Ducks Unlimited, Inc. Such funds are to be used exclusively for waterfowl management in the Atlantic provinces of Canada. A written report shall be annually submitted to the division by Ducks Unlimited, Inc. setting forth what projects, activities and expenses were realized from the commonwealth's contribution. Any unexpended balance shall be credited to the inland fisheries and game fund.

A person shall not kill or possess any species of game bird or mammals for which a permit is required unless he shall first have paid the established fee. A fee shall accompany each bear permit application and antlerless deer permit application granted, the amount, of which shall be determined pursuant to section three B of chapter seven, except that no fee shall be charged those persons qualifying for either a farmer or landowner antlerless deer permit as determined by the director.

SECTION 233. The first sentence of section 16 of said chapter 131, as most recently amended by chapter 587 of the acts of 1979, is hereby further amended by striking out the words "fee of two dollars" and inserting in place thereof the words:- fee, the

amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 234. Section 19A of said chapter 131, as most recently amended by chapter 706 of the acts of 1975, is hereby further amended, by striking out, in the second sentence of the first paragraph, the words "fee of five dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 235. The first sentence of section 20 of said chapter 131, as most recently amended by section 1 of chapter 921 of the acts of 1977, is hereby further amended by striking out the words "fee of fifteen dollars by the applicant" and inserting in place thereof the words:- fee by the applicant, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 236. The fifth sentence of said section 20 of said chapter 131, as most recently amended by said section 1 of said chapter 921, is hereby further amended by striking out the words "a fee of thirty-five dollars per day for services rendered at such a field trial" and inserting in place thereof the words:- a fee for services rendered at such a field trial, the amount of which shall be determined pursuant to the aforementioned chapter seven provision.

SECTION 237. Section 21 of said chapter 131, as most recently amended by section 5 of chapter 706 of the acts of 1972, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- A person shall not conduct any field trial where the use of buildings of the division, the services of any personnel of the division are deemed necessary by the director or birds or mammals are provided by the director without first obtaining a permit so to do from the director, which permit may be issued upon payment of a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 238. Section 23 of said chapter 131, as most recently amended by section 2 of chapter 542 of the acts of 1977, is hereby further amended by striking out the ninth paragraph and inserting in place thereof the following paragraph:-

The amounts of initial fees for licenses issued in accordance with this section and for each annual renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 239. Section 25 of said chapter 131, as most recently amended by section 8 of chapter 1071 of the acts of 1973, is hereby further amended by striking out, in the second sentence of the first paragraph, the words "of five cents each and in accordance with rules and regulations which he is hereby authorized to make" and inserting in place thereof the following words: - to be determined annually by the commissioner of administration under the provision of section three B of chapter seven and in accordance with rules and regulations which the director is hereby authorized to make.

SECTION 240. Section 27 of said chapter 131, as most recently amended by section 6 of chapter 706 of the acts of 1972, is hereby further amended by striking out, in line 2, the words "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof, - and by striking out, in line 18, the words "fee of two dollars." and by inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 241. The first sentence of the first paragraph of section 28 of said chapter 131, as appearing in chapter 802 of the acts of 1967, is hereby amended by striking out the words "fees as hereinafter provided" and inserting in place thereof the words:- fees, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof:-.

SECTION 242. Clause (1) of the first paragraph of said section 28 of said chapter 131, as most recently amended by section 7 of chapter 706 of the acts of 1972, is hereby further amended by striking out, in lines 3 and 4, the words "upon payment of a fee of fifteen dollars".

SECTION 243. Clause (2) of the first paragraph of said section 28 of said chapter 131, as most recently amended by section 8 of said chapter 706, is hereby further amended by striking out, in lines 2 and 3, the words "upon payment of a fee of fifty dollars".

SECTION 244. Section 30 of said chapter 131, as inserted by chapter 802 of the acts of 1967, is hereby amended by striking out, in the third line, the words "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 245. Section 31 of said chapter 131, as inserted by chapter 802 of the acts of 1967, is hereby amended by striking

out, in the second sentence of the first paragraph, the words "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 246. Section 38 of said chapter 131, as inserted by chapter 802 of the acts of 1967, is hereby amended by striking out, in the third sentence, the words "fee of five dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 247. Section 52 of said chapter 131, as inserted by chapter 802 of the acts of 1967, is hereby amended by striking out, in line 16, the words "fee of five dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 248. Section 80 of said chapter 131, as most recently amended by section 10 of chapter 706 of the acts of 1972, is hereby further amended by striking out the third sentence of the first paragraph and inserting in place thereof the following sentence:- The director shall require the applicant for registration or renewal to supply necessary information and shall charge a fee for the original certificate, which shall be valid for two years unless suspended or revoked, and a fee for a renewal for a similar period of time, the amounts of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, which shall cover and apply to all traps then and thereafter owned by the applicant.

SECTION 249. The third sentence of the first paragraph of section 46 of chapter 132 of the General Laws, as appearing in chapter 756 of the acts of 1970, is hereby amended by striking out the words "five dollars for residents and ten dollars for nonresidents" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 250. Section 46F of chapter 140 of the General Laws, as appearing in chapter 729 of the acts of 1966, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Each person licensed under section forty-six D to carry on the business of an employment agency shall before such license issues pay to the commissioner a license fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section

three B of chapter seven for the filing thereof.

SECTION 251. Section 97 of said chapter 140 is hereby amended by striking out the third sentence, as inserted by section 2 of chapter 346 of the acts of 1978, and inserting in place thereof the following sentence:- The commissioner shall assess the licensee fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each person participating in such investigation.

SECTION 252. Section 102 of said chapter 140, as appearing in chapter 790 of the acts of 1969 is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:- Each application for a license shall be accompanied by an investigation fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof. The amount of the fees for all licenses granted under section ninety-six and the relocation investigation fee referred to hereunder shall be determined pursuant to the aforementioned chapter seven provision, and if an applicant desires to carry on business at more than one place he shall procure a license for each place where the business is to be conducted.

SECTION 253. The second sentence of the second paragraph of said section 102 of said chapter 140, as inserted by chapter 187 of the acts of 1975, is hereby amended by striking out the words "of fifty dollars".

SECTION 254. The first paragraph of section 131F of said chapter 140, as appearing in section 2 of chapter 551 of the acts of 1978, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- The fee for said license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 255. Section 131H of said chapter 140 is hereby amended by striking out the third sentence of the first paragraph, as appearing in section 3 of chapter 802 of the acts of 1967, and inserting in place thereof the following sentence:- The fee for such permit shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 256. The first sentence of the third paragraph of section 180C of said chapter 140, as inserted by chapter 666 of the acts of 1960, is hereby amended by striking out the words "two hundred dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 257. The second sentence of section 181A of said chapter 140, as appearing in chapter 292 of the acts of 1961, is hereby amended by striking out the words "fee of two dollars, for which the commissioner shall issue a receipt" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 258. Section 185B of said chapter 140, as appearing in the Tercentenary Edition, is hereby amended by striking out the words "one hundred dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 259. Section 205A of said chapter 140, as most recently amended by section 1 of chapter 748 of the acts of 1975, is hereby further amended by striking out, in the fourth sentence of the first paragraph, the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 260. Said section 205A of said chapter 140, as most recently amended by said section 1 of said chapter 748, is hereby further amended by striking out the fourth sentence of the second paragraph and inserting in place thereof the following sentence:- The licensee shall pay to the commissioner a fee, as determined under the aforementioned chapter seven provision, for each hour or fraction thereof spent by each inspector while engaged in such investigation.

SECTION 261. Section 2B of chapter 141 of the General Laws, as inserted by chapter 163 of the acts of 1977, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The amount of the fee for licensing without examination under this section for a master and journeyman electrician's license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 262. Section 3 of said chapter 141 is hereby further amended by striking out clause (3), as most recently amended by chapter 491 of the acts of 1963, and inserting in place thereof the following clause:-

(3) Persons desiring an examination shall make a written application therefor, accompanied by an examination fee, for "Certificate A" and for "Certificate B". For each reexamination for "Certificate A" and "Certificate B" a fee shall be paid. A person passing an examination fee for a master electrician's

license shall, before being issued his license, pay a fee for "Certificate A" or "Certificate B", as the case may be. The amounts of such fees referred to in this clause and other fees referred to in this section shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 263. Said section 3 of said chapter 141 is hereby further amended by striking out clause (4), as most recently amended by section 57 of chapter 684 of the acts of 1972, and inserting in place thereof the following clause:-

(4) Each "Certificate A" shall expire on July thirty-first in each odd-numbered year, but may be renewed by the same person, or the same firm or corporation acting by one or more of its members or officers, without further examination, upon payment of a fee, application therefor being made during said month. In case of failure to renew a license as aforesaid on or before July thirty-first in an odd numbered year, the person named therein may, upon payment of said fee and at the discretion of the examiners; a deferred renewal fee, 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 July thirty-first in the ensuing odd-numbered year; provided, that such renewed license shall not constitute its holder a licensee for any period preceding its issue. The amount of the fees referred to herein shall be determined pursuant to the aforementioned chapter seven provision.

SECTION 264. Clause (5) of said section 3 of said chapter 141, as most recently amended by section 58 of said chapter 684, is hereby further amended by striking out the words "of ten dollars".

SECTION 265. The first sentence of section 3B of chapter 142 of the General Laws, as appearing in section 6 of chapter 843 of the acts of 1977, is hereby amended by striking out the words "of fifty dollars and a biennial renewal fee of fifty dollars" and inserting in place thereof the words:- and a biennial renewal fee, the amounts of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 266. Said chapter 142 is hereby amended by striking out section 5, as most recently amended by section 7 of chapter 843 of the acts of 1977, and inserting in place thereof the following section:-

Section 5. The fee for the first license of a master plumber or master gas fitter, journeyman plumber or journeyman gas fitter, apprentice, undiluted liquefied petroleum gas installer, or limited undiluted petroleum gas installer or for any biennial renewal thereof, and for any examination therefor shall be deter-

mined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 267. The last sentence of section 6 of said chapter 142, as appearing in section 7 of chapter 843 of the acts of 1977, is hereby amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 268. Chapter 143 of the General Laws is hereby further amended by striking out section 62A, as amended by section 44 of chapter 802 of the acts of 1972, and inserting in place thereof the following section:-

Section 62A. In cities and towns not having a building department or an inspector of buildings, building commissioner or local inspector the owner or person in control of a building in which an elevator is operated shall pay fees to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for inspection and for safety tests and inspection by an inspector assigned by the commissioner for the following:-

(1) For the inspection of a new installation, repair, or replacement of power passenger and freight elevators, hydraulic and electric passenger and freight elevators, hand elevators, dumbwaiters, building elevators, automobile parking devices, special industrial power operated service elevators and temporary workmen's elevators.

(2) For each safety test and inspection of elevators and devices as described in paragraph (1).

(3) For the inspection of a new installation of a private residence elevator or an inclined lift.

SECTION 269. The second sentence of section 71B of said chapter 143, as appearing in section 2 of chapter 637 of the acts of 1957, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 270. Paragraph (1) of section 71C of said chapter 143, as appearing in section 3 of chapter 637 of the acts of 1957, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- A fee shall accompany each application and each renewal thereof, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 271. Paragraph (1) of said section 71C of said

chapter 143, as appearing in said section 3 of said chapter 637, is hereby amended by striking out the eighth sentence.

SECTION 272. Section 71G of said chapter 143, is hereby further amended by striking out the last sentence, as amended by section 1 of chapter 177 of the acts of 1969, and inserting in place thereof the following sentence:- The fee for said license and for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 273. Said chapter 143 is hereby amended by striking out section 71L, as appearing in section 1 of chapter 565 of the acts of 1968, and inserting in place thereof the following section:-

Section 71L. Each application for a license, as specified in the following schedule, or a renewal thereof shall be accompanied by a fee.

Type of Tramway

1. Two-car aerial passenger tramway
2. Multi-car aerial passenger tramway
3. Skimobile
4. Chairlift
5. J Bar, T Bar, or platter pull
6. Rope tows

The amounts of such fees as well as fees for those applications accompanied by a report of an inspector certified by the board, containing such information as the board may rule, or regulation prescribe, shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 274. Said chapter 143 is hereby amended by striking out section 74, as appearing in section 1 of chapter 772 of the acts of 1971, and inserting in place thereof the following section:-

Section 74. For the inspection of a booth or enclosure, as provided by the preceding section, a fee shall be paid by the owner or user thereof. The amount of such fee shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 275. Section 75 of said chapter 143, as appearing in chapter 112 of the acts of 1950, is hereby amended by striking out the last two sentences and inserting in place thereof the following two sentences:- A fee shall accompany the application for a license. Said license has a one year term from the date thereof, but may be renewed yearly, without examination, by an inspector upon payment of a fee. The amounts of such fees shall be determined annually by the commissioner of administration

under the provision of section three B of chapter seven for the filing thereof.

SECTION 276. The last sentence of section 82 of said chapter 143, as appearing in section 6 of chapter 553 of the acts of 1941, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- A fee shall accompany the application for each permit, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 277. Section 22 of chapter 146 of the General Laws, as appearing in section 1 of chapter 667 of the acts of 1971, is hereby amended by striking out the first two sentences and inserting in place thereof the following three sentences:- The owner or user of a boiler inspected by the division shall pay to the commissioner, a fee, the amount of which shall be determined according to the provisions referred to hereunder, for each boiler internally and externally inspected and for each visit for external inspection under steam, and for each cast iron sectional boiler inspected. The owner of tanks containing fluids other than water, which are in excess of ten thousand gallons capacity shall pay to the commissioner a fee for the inspection of the plans, the construction, and the making of required tests of such tanks, a fee based on storage capacity of such tanks; provided further that a minimum fee shall also be established. The amounts of those fees referred to herein shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 278. The first sentence of section 40 of said chapter 146, as most recently amended by section 63 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "twelve dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 279. The first paragraph of section 45A of said chapter 146, as appearing in chapter 570 of the acts of 1971, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The amounts of fees charged for each inspection made by the division under this section shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 280. The fourth sentence of the fifth paragraph of section 50A of said chapter 146, as inserted by chapter 605 of the acts of 1971, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under

the provision of section three B of chapter seven for the filing thereof.

SECTION 281. Said section 50A of said chapter 146, as inserted by said chapter 605, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

In the event a special examination for any grade of nuclear license is required, it shall be limited to not more than five applicants, and the total fee for such special examination shall be determined pursuant to the aforementioned chapter seven provision and divided equally among all the applicants.

SECTION 282. Section 57 of said chapter 146 is hereby further amended by striking out the second sentence, as most recently amended by section 65 of chapter 684 of the acts of 1972, and inserting in place thereof the following sentence:- Each such application for a first class engineer's license, second class engineer's license or for a special license; for a third class, fourth class or portable class engineer's license or a steam fire engineer's license; for a first class or second class fireman's license; and for a license for operating hoisting machinery not run by steam shall be accompanied by an examination fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 283. The last sentence of said section 57 of said chapter 146, as appearing in section 3 of chapter 541 of the acts of 1952, is hereby amended by striking out the words "one dollar" and inserting in place thereof the words:- determined annually under the aforementioned chapter seven provision.

SECTION 284. The last sentence of section 59 of said chapter 146, as inserted by chapter 342 of the acts of 1971, is hereby amended by striking out the words "two dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 285. Section 60 of said chapter 146, as most recently amended by section 2 of chapter 748 of the acts of 1975, is hereby further amended by striking out the words "fee of twenty-five dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration.

SECTION 286. Section 62 of said chapter 146, as most recently amended by section 4 of said chapter 748, is hereby further amended by striking out, in the second sentence of the first paragraph, the words "twenty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 287. Said section 62 of said chapter 146, as most recently amended by said section 4 of said chapter 748, is hereby further amended by striking out, in the third sentence of the third paragraph, the words "ten dollars" and inserting in place thereof the words:- determined pursuant to the aforementioned chapter seven provision.

SECTION 288. The first sentence of section 63 of said chaper 146, as most recently amended by chapter 524 of the acts of 1975, is hereby further amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 289. Section 67 of said chapter 146, as appearing in chapter 175 of the acts of 1952, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The fee for the renewal of a license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 290. The last paragraph of section 71 of said chapter 146, as appearing in chapter 647 of the acts of 1970, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The owner or user of a boiler covered by section seventy and inspected by the division shall pay a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for each internal inspection and for each external inspection.

SECTION 291. Said chapter 146 is hereby amended by striking out section 85, as most recently amended by section 1B of chapter 34 of the acts of 1978, and inserting in place thereof the following section:-

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, journeyman pipefitter, apprentice pipefitter, refrigeration contractor or refrigeration technician; and for any biennial renewal thereof; or for examination therefor shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof. No examination will be required for a renewal of the apprentice pipefitter or refrigeration technician license.

SECTION 292. Section 10G of chapter 147 of the General Laws, as most recently amended by chapter 918 of the acts of

1977, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Each application for appointment as a special police officer or a renewal thereof shall be accompanied by a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 293. Section 26 of said chapter 147, as appearing in section 1 of chapter 802 of the acts of 1960, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The fee for an original license and for a renewal of any license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 294. Section 32 of said chapter 147, as appearing in section 1 of chapter 262 of the acts of 1935, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Applications for the license shall be accompanied by such fee, as established annually by the commissioner of administration under the provision of section three B of chapter seven on the basis of the population of the city or town or of the seating capacity of the building or place in which the match or exhibition is to be held; provided, that a license the fee for which is established on the basis of seating capacity of a building or place as aforesaid shall be exercised only in such building or place.

SECTION 295. The first sentence of section 35 of said chapter 147, as appearing in chapter 199 of the acts of 1948, is hereby amended by striking out the words "fee, not exceeding twenty-five dollars, as the commission may fix" and inserting in place thereof the words:- fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 296. The first paragraph of section 10D of chapter 148 of the General Laws, is hereby amended by striking out the second sentence, as appearing in section 69 of chapter 684 of the acts of 1972, and inserting in place thereof the following sentence:- A fee shall accompany each application, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 297. The sixth sentence of the first paragraph of said section 10D of said chapter 148, as inserted by section 3 of chapter 373 of the acts of 1968, is hereby amended by striking out the words "of ten dollars", and inserting in place thereof the words:- as determined pursuant to the aforementioned chapter seven provision.

SECTION 298. The first sentence of section 10E of said chapter 148, as inserted by section 2 of chapter 680 of the acts of 1964, is hereby amended by striking out, in line 1, the words "three dollars" and inserting in place thereof the words:- a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 299. The second sentence of said section 10E of said chapter 148, as inserted by section 4 of chapter 373 of the acts of 1968, is hereby amended by striking out the words, "three dollars" and inserting in place thereof the words:- a fee as determined under the aforementioned chapter seven provision.

SECTION 300. Section 20B of said chapter 148, is hereby amended by striking out the third sentence, as inserted by section 71 of chapter 684 of the acts of 1972, and inserting in place thereof the following sentence:- A fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof, shall accompany each application, half of which shall be for the examination and half of which shall be for the certificate if issued.

SECTION 301. Said section 20B of said chapter 148, as most recently amended by section 72 of said chapter 684, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence:- Said certificate shall be valid throughout the commonwealth until the date of birth of the licensee occurring more than twelve months but not more than twenty-four months after the effective date of such license and may be renewed after its expiration without examination upon the payment of a fee, as determined pursuant to the aforementioned chapter seven.

SECTION 302. Said section 20B of said chapter 148, as most recently amended by said section 72 of said chapter 684, is hereby further amended by striking out, in the last sentence, the words "one dollar" and inserting in place thereof the words:- a fee as determined under the aforementioned provision.

SECTION 303. The second sentence of the second paragraph of section 37 of said chapter 148, as inserted by chapter 523 of the acts of 1977, is hereby amended by striking out the words " a minimum of five dollars and a maximum of twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 304. Section 147 of chapter 149 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 7 of chapter 764 of the acts of 1955, and in-

serting in place thereof the following paragraph:-

The commissioner shall collect a fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for the original issuance of an employer's permit, and for each renewal of such permit plus an amount for each homeworker with whom the employer directly or indirectly had business relations during the preceding calendar year. Any such fees received by the commissioner shall be paid into the treasury to the credit of the General Fund.

SECTION 305. Section 6 of chapter 150 of the General Laws, is hereby amended by striking out the second sentence, as inserted by chapter 790 of the acts of 1977, and inserting in place thereof the following sentence:- The application shall be accompanied by a filing fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 306. The first sentence of the second paragraph of subsection (d) of section 3 of chapter 151D of the General Laws, as appearing in section 1 of chapter 1169 of the acts of 1973, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 307. Said chapter 151D is hereby further amended by striking out section 5, as amended by section 15 of chapter 641 of the acts of 1974, and inserting in place thereof the following section:-

Section 5. The fee for registering a trust or fund under the provisions of section two and the fee for filing annual reports with the board shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 308. The fifth sentence of subsection (a) of chapter 52C of chapter 152 of the General Laws, as appearing in section 2 of chapter 619 of the acts of 1947, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 309. The first sentence of the second paragraph of section 9A of chapter 155 of the General Laws, as appearing in section 2 of chapter 484 of the acts of 1964, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 310. The last paragraph of said section 9A of said chapter 155, as appearing in said section 2 of said chapter 484, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined also under the aforementioned chapter seven provision.

SECTION 311. Section 10 of said chapter 155 is hereby amended by striking out the fifth sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:- When the secretary is satisfied that such notice has been published as required by him, he shall, upon payment of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven by a corporation subject to the provisions of either chapter one hundred and sixty-four or chapter one hundred and seventy-five and by all other corporations subject to the provisions of this section, grant a certificate of the name which the corporation shall bear, which name shall thereafter be its legal name, and he shall cause the articles of amendment to be filed in his office.

SECTION 312. Section 17 of chapter 156 of the General Laws, as most recently amended by section 74 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "not exceeding fifty dollars, as the secretary may fix" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 313. Section 46B of said chapter 156 is hereby amended by striking out the fourth paragraph, as inserted by section 1 of chapter 543 of the acts of 1947, and inserting in place thereof the following paragraph:- The fee to be paid to the state secretary for filing the articles of consolidation shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 314. Section 46D of said chapter 156 is hereby amended by striking out the third and fourth paragraph, as inserted by section 2 of said chapter 543, and inserting in place thereof the following paragraph:-

If the consolidated corporation is to be a domestic corporation or a foreign corporation, the fee to be paid to the state secretary for filing the articles of consolidation shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 315. Section 46F of said chapter 156, as appearing in section 4 of chapter 180 of the acts of 1959, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 316. Said chapter 156 is hereby further amended by striking out section 53, as most recently amended by section 75 of chapter 684 of the acts of 1972, and inserting in place thereof the following section:-

Section 53. The fee for filing the articles of organization required by section 10, including the issuing by the state secretary of the certificates of incorporation, shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 317. Said chapter 156 is hereby further amended by striking out section 54, as most recently amended by section 79 of said chapter 684, and inserting in place thereof the following section:-

Section 54. The fees for filing the following certificates shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven:

A certificate providing for an increase of capital stock with par value.

A certificate providing for a change of shares with par value to shares without par value, whether or not the capital is changed thereby.

A certificate providing for an increase in the number of shares without par value, whether or not the capital is changed thereby.

A certificate providing for a change of shares without par value into shares with par value or for an exchange of shares without par value for shares with par value, whether or not an increase or decrease or no change in the capital is provided for.

SECTION 318. Section 55 of said chapter 156, as most recently amended by section 80 of said chapter 684, is hereby further amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 319. Section 14 of chapter 156A of the General Laws, as most recently amended by section 2 of chapter 316 of the acts of 1972, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- A fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, shall be paid to the state secretary for the filing of each such certificate, and no other fees shall be charged therefor.

SECTION 320. The third sentence of section 15 of said chapter 156A, as appearing in section 1 of chapter 654 of the acts of 1963, is hereby amended by striking out the words "of five dol-

lars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 321. Paragraph (d) of section 11 of chapter 156B of the General Laws, as amended by section 6 of chapter 685 of the acts of 1965, is hereby further amended by striking out the words "two dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 322. Said chapter 156B is hereby further amended by striking out section 114, as most recently amended by section 96 of chapter 684 of the acts of 1972, and inserting in place thereof the following section:-

Section 114. The commissioner of administration shall determine annually under the provision of section three B of chapter seven the following filing fees:

(a) The fee for filing the articles of organization required by section twelve.

(b) The fee for filing articles of amendment required by section seventy-two or seventy-three as follows:

(1) Articles of amendment providing for an increase of the total amount of authorized capital stock with par value.

(2) Articles of amendment providing for a change of shares with par value to shares without par value.

(3) Articles of amendment providing for an increase in the number of shares without par value.

(4) Articles of amendment providing for a change of shares without par value into shares with par value or for an exchange of shares without par value for shares with par value.

(5) Any other articles of amendment.

(c) The fee for filing restated articles of organization in accordance with section seventy-four; provided, however, that in the event such restated articles of organization incorporate any amendment to the original articles of organization as theretofore amended, there shall be added to such filing fee the amount of the filing fee that would have been required under subsection (b) of this section if such amendment had been incorporated in articles of amendment filed in accordance with section seventy-two.

(d) The fee for filing articles of consolidation or merger as follows:

(1) Articles of consolidation or merger in accordance with section seventy-eight.

(2) Articles of consolidation or merger in accordance with section seventy-nine, if the resulting or surviving corporation is a corporation organized under the laws of the commonwealth.

(3) Articles of consolidation or merger in accordance with section seventy-nine, if the resulting or surviving corporation is organized under the laws of another state.

(4) Articles of consolidation or merger in accordance with section eighty-two.

(5) Articles of consolidation or merger in accordance with section eighty-three.

(e) The fee for filing a certificate pursuant to section twenty-six.

(f) The fee for filing articles of dissolution under section one hundred.

(g) The fee for filing all other certificates, statements or reports required by this chapter, but no fee shall be paid for filing the certificate of change of principal office of the corporation in the commonwealth required by section fourteen, the certificate of change of date of annual meeting or change of fiscal year required by section thirty-eight, the certificate of change of officers required by section fifty-three or any certificate relating to a resident agent of a corporation filed under section forty-nine.

(h) For the purposes of this section only, shares of stock with a par value of less than one dollar shall be deemed to have a par value of one dollar per share.

SECTION 323. The last sentence of section 7 of chapter 157 of the General Laws, as most recently amended by section 97 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "ten dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 324. Said chapter 157 is hereby further amended by striking out section 9, as most recently amended by section 98 of said chapter 684, and inserting in place thereof the following section:-

Section 9. The fee for filing the articles of organization required by section three or three A or three B, including the issuing by the state secretary of the certificate of incorporation, shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 325. The last sentence of section 18 of said chapter 157, as appearing in the Tercentenary Edition, is hereby amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 326. The last sentence of section 39 of chapter 158 of the General Laws, as amended by section 39 of chapter 750 of

the acts of 1962, is hereby further amended by striking out the words "not exceeding twenty-five dollars, as he may determine" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 327. Said chapter 158 is hereby further amended by striking out section 43, as most recently amended by section 99 of chapter 684 of the acts of 1972, and inserting in place thereof the following section:-

Section 43. The fees for filing certificates and copies of votes required to be filed with the state secretary shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the following:

Of Organization.- The certificates required by section nine, including the issuing of the certificate of incorporation.

Of Increase of Capital.- The certificate required by section thirty-nine.

Other Certificates.- The copies of the votes or certificates required by section eleven, thirty-six, thirty-seven, or forty of this chapter or section sixteen of chapter one hundred and fifty-five, and any other certificate required by law.

SECTION 328. The third sentence of the first paragraph of section 12B of chapter 159 of the General Laws, as appearing in section 1 of chapter 936 of the acts of 1973, is hereby amended by striking out the words "of two hundred and fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 329. Section 1 of chapter 159A of the General Laws, as most recently amended by chapter 99 of the acts of 1956, is hereby further amended by striking out the third sentence of the first paragraph and inserting in place thereof the following sentence:- The amount of the fee for any such license shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 330. Section 8 of said chapter 159A is hereby amended by striking out the third sentence of the first paragraph, as amended by chapter 456 of the acts of 1968 and inserting in place thereof the following sentence:- The department shall charge fees for the issuance of an original permit and for the renewal thereof, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 331. Section 9 of said chapter 159A, is hereby amended by striking out the third sentence, as amended by

chapter 325 of the acts of 1968, and inserting in place thereof the following sentence:- The department shall charge fees for the examination, issuance, and renewal of such license, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof, and said department may revoke or suspend such a license at any time for such cause as may seem to it sufficient.

SECTION 332. The last sentence of paragraph (a) of section 3 of chapter 159B of the General Laws, as appearing in section 1 of chapter 483 of the acts of 1938, is hereby amended by striking out the words, "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 333. The last sentence of the third paragraph of section 4 of said chapter 159B, as appearing in section 2 of chapter 593 of the acts of 1941, is hereby amended by striking out the words, "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 334. Subsection (b) of section 5 of said chapter 159B, as appearing in section 1 of chapter 483 of the acts of 1938, is hereby amended by striking out, in the last sentence of the first paragraph, the words "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 335. Said section 5 of said chapter 159B is hereby amended by striking out the third paragraph, as amended by chapter 424 of the acts of 1966, and inserting in place thereof the following paragraph:-

The commissioner of administration shall determine annually, under the provision of section three B of chapter seven, reasonable fees which may be charged by brokers to shippers or motor carriers; provided, however, that no broker shall charge, for his services as a broker, any fee to any motor carrier engaged in dump truck operations, nor shall any such motor carrier pay any fee to any broker for such services.

SECTION 336. The fourth sentence of section 9 of said chapter 159B, as appearing in chapter 553 of the acts of 1954, is hereby amended by striking out the words, "of two dollars".

SECTION 337. Said section 9 of said chapter 159B, as most recently amended by section 100 of chapter 684 of the acts of

1972, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- The amount of the aforementioned transfer fee and the annual charge for each plate shall be determined by the commissioner of administration annually under the provision of section three B of chapter seven.

SECTION 338. The second sentence of the first paragraph of section 10 of said chapter 159B, as appearing in chapter 798 of the acts of 1972, is hereby amended by striking out the words, "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 339. The second paragraph of said section 10 of said chapter 159B, as most recently amended by chapter 595 of the acts of 1974, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- One interstate distinguishing plate or vehicle indentification-device shall be issued by the department annually to each such licensee, for each vehicle of said licensee operating over such ways, upon application to the department and payment of a fee for verification per plate or device, together with a fee for each plate or device issued. The amount of the fees referred to herein shall be determined under the aforementioned provision of section three B of chapter seven.

SECTION 340. The second sentence of the fourth paragraph of said section 10 of said chapter 159B, as appearing in chapter 798 of the acts of 1972, is hereby amended by striking out the words "fee of thirty cents each" and inserting in place thereof the words:- fee, as determined under the aforementioned provision.

SECTION 341. The seventh paragraph of said section 10 of said chapter 159B, as most recently amended by chapter 594 of the acts of 1974, is hereby further amended by striking out the words "fee of fifty cents" and inserting in place thereof the words:- fee, as determined pursuant to the aforementioned chapter seven provision,.

SECTION 342. Section 10A of said chapter 159B, as most recently amended by section 2 of chapter 289 of the acts of 1968, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

When a distinguishing plate issued by the department is lost or mutilated or the number thereon becomes illegible, the carrier to whom such plate was issued shall make application for a plate replacement. The department may issue additional plates to replace such plates issued under section nine or ten as have been lost

or mutilated or as are illegible, upon payment of a fee for each such additional plate. The amount of any fees referred to herein shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. The department may issue a duplicate certificate, permit or license in place of one issued under this chapter which has been lost or destroyed as well as certified copies of certificates, permits, licenses, or plate certificates upon payment of a fee as determined pursuant to the aforementioned chapter seven.

SECTION 343. Section 10B of said chapter 159B, as most recently amended by chapter 572 of the acts of 1974, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- An annual charge, for each plate issued under this section shall be determined by the commissioner of administration under the provision of section three B of chapter seven and shall apply to all such applications notwithstanding the provisions of section ten.

SECTION 344. The second sentence of the third paragraph of section 11 of said chapter 159B, as appearing in section 2 of chapter 616 of the acts of 1948, is hereby amended by striking out the words, "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 345. The last sentence of said section 11 of said chapter 159B, as inserted by chapter 266 of the acts of 1961, is hereby amended by striking out the words "fee of ten dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined pursuant to the aforementioned chapter seven provision.

SECTION 346. The last sentence of section 15A of said chapter 159B, as appearing in section 3 of chapter 704 of the acts of 1941, is hereby amended by striking out the words "one dollar" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 347. Section 24 of chapter 160 of the General Laws, as amended by chapter 463 of the acts of 1906, is hereby further amended by striking out, in the second sentence of the first paragraph, the words "fee of fifty dollars", and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, said state secretary.

SECTION 348. Section 9 of chapter 161 of the General Laws, as amended by chapter 463 of the acts of 1906, is hereby further

amended by striking out, in the second sentence of the first paragraph, the words "fifty dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, said state secretary.

SECTION 349. Section 69A of said chapter 161, as amended by chapter 576 of the acts of 1954, is hereby further amended by striking out, in the sixth sentence of the first paragraph, the words "of twenty-five dollars" and inserting in place thereof the words:- fee, to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 350. Section 33 of chapter 164 of the General Laws, as amended by chapter 860 of the acts of 1973, is hereby further amended by striking out the entire section and inserting in place thereof the following section:-

Section 33. The fees for filing the following certificates, documents and copies of votes required to be filed by corporations subject to this chapter with the state secretary shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven:

(a) Articles of organization required by section five.

(b) Articles of amendment providing for an increase of the total amount of authorized capital stock.

(c) Any other articles of amendment.

(d) Restated articles of organization in accordance with section eight C; provided, however, that in the event such restated articles of organization incorporate any amendment to the original articles of organization as theretofore amended, there shall be added to the filing fee the amount of the filing fee that would be required under paragraphs (b) and (c) of this section if such amendment had been incorporated in articles of amendment filed in accordance with section eight B.

(e) Articles of consolidation or merger in accordance with section one hundred and two A.

(f) Articles of dissolution pursuant to section one hundred of chapter one hundred and fifty-six B.

(g) Certificates or copies of votes required by section eight D. For each other filing with the state secretary required by law, but no fee shall be required for filing the certificate of change of principal office of the corporation required by section fourteen of chapter one hundred and fifty-six B, the certificate of change of date of annual meeting or change of fiscal year required by section thirty-eight of chapter one hundred and fifty-six B or the certification of change of officers required by section fifty-three of chapter one hundred and fifty-six B.

SECTION 351. The fifth paragraph of section 69H of said chapter 164 is hereby amended by striking out clause (4), as inserted by section 3 of chapter 617 of the acts of 1975, and clause (5), as appearing in section 1 of chapter 1232 of the acts of 1973, and inserting in place thereof the following clause and paragraph:-

(4) Where the applicant has petitioned the council with respect to a national pollutant discharge elimination system permit, the council shall be required to make a tentative determination as to the resolution of that application, which determination shall be included in the public notice as required by section sixty-nine M.

A schedule of filing fees shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the following: (a) applications for certificates of environmental impact and public need; provided, however, that such filing fee for any municipal corporation empowered to operate a municipal lighting plant under the provisions of section thirty-five or thirty-six shall not exceed a maximum amount; (b) long-range forecasts or supplements thereto a total maximum amount annually from the electric companies with the fee for each applicant being determined by its proportion of the total kilowatt hour sales to ultimate customers in the commonwealth for the prior year, and a total maximum amount annually from the gas companies with the fee for each applicant being determined by its pro rata percentage of the firm gas revenues from sales to consumers in the commonwealth for the prior year; and (c) notices of intention to construct an oil facility a maximum per oil facility to be graduated in accordance with the expected capital investment in such facility.

SECTION 352. Section 102B of said chapter 164, as added by section 20 of chapter 860 of the acts of 1973, is hereby amended by striking out, in the first sentence, the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of adminstration under the provision of section three B of chapter seven.

SECTION 353. Section 104 of said chapter 164, as amended by chapter 696 of the acts of 1957, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- For examining, comparing and testing gas meters, the department may collect a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each meter with a rated gas capacity of nine hundred and fifty cubic feet per hour or less; for each meter with a rated capacity of more than nine hundred and fifty cubic feet per hour up to and including thirty-four hundred cubic feet per hour, and for

each meter having a rated capacity in excess of thirty-four hundred cubic feet per hour.

SECTION 354. The second paragraph of section 2 of chapter 167 of the General Laws, is hereby amended by striking out the second and third sentences, as inserted by section 23B of chapter 684 of the acts of 1975, and inserting in place thereof the following sentences:- The charge for each examiner participating in such examination or audit shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. In addition to the foregoing, a charge, also determined under the aforementioned provision, may be assessed which together with the charges authorized by the preceding sentence will be sufficient to reimburse the commonwealth for the direct and indirect costs of such examination or audit.

SECTION 355. Section 59 of said chapter 167, as appearing in chapter 607 of the acts of 1961, is hereby amended by striking out the third paragraph, and inserting in place thereof the following paragraph:-

There shall be a fee for the filing of such annual statement payable to the commissioner and for each agent listed in the annual statement or in any addition thereto, the amount of such fees shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the filing thereof.

SECTION 356. Section 4 of chapter 167A of the General Laws, as most recently amended by section 101 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:- Any company or bank holding company seeking authority to act under the provisions of section two shall file a petition with the board of bank incorporation, together with a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, and said board shall hold a public hearing thereon pursuant to the provisions of chapter thirty A.

SECTION 357. The first paragraph of paragraph 1 of section 4A of said chapter 167A, as most recently amended by section 5 of chapter 1149 of the acts of 1973, is hereby further amended by striking out the last two sentences and inserting in place thereof the following two sentences:- At the time of submitting said written plan of acquisition, an investigation fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, shall be paid to the commissioner of banks by the company. No fee pursuant to section four shall be required in

connection with any plan of acquisition pursuant to this section.

SECTION 358. The fourth sentence of section 4 of chapter 168 of the General Laws, as added by section 6 of chapter 1149 of the acts of 1973, is hereby amended by striking out the words "fee of five hundred dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 359. Section 5 of said chapter 168, as most recently amended by section 1 of chapter 293 of the acts of 1979, is hereby further amended by striking out in the second sentence of the first paragraph, the words, "fee of five hundred dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 360. The second sentence of the first paragraph of section 72 of said chapter 168, as inserted by section 9 of said chapter 1149, is hereby amended by striking out the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 361. The second sentence of the first paragraph of section 73 of said chapter 168, as inserted by section 10 of said chapter 1149, is hereby amended by striking out the words, "fee of one thousand dollars" and inserting in place thereof the words:-fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 362. The second sentence of the first paragraph of section 78 of said chapter 168, as inserted by section 11 of chapter 1149 of the acts of 1973, is hereby amended by striking out the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 363. Section 80 of said chapter 168, as most recently amended by section 5 of chapter 252 of the acts of 1976, is hereby further amended by striking out, in the second sentence of the second paragraph, the words "one hundred dollars he" and inserting in place thereof the words:- a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, the state secretary.

SECTION 364. Section 3 of chapter 169 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by

striking out, in line 36, the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 365. The second sentence of the first paragraph of section 3 of chapter 170 of the General Laws, as inserted by section 12 of chapter 1149 of the acts of 1973, is hereby amended by striking out the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 366. Section 5 of said chapter 170, as most recently amended by section 213 of chapter 514 of the acts of 1978, is hereby further amended by striking out, in the third sentence of the second paragraph, the words "one hundred dollars" and inserting in place thereof the words:- a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, the state secretary.

SECTION 367. The first paragraph of section 12 of said chapter 170, as most recently amended by section 2 of chapter 293 of the acts of 1979, is hereby further amended by striking out, in the third sentence, the words "fee of five hundred dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven,.

SECTION 368. The first paragraph of section 48 of said chapter 170, as most recently amended by section 2 of chapter 168 of the acts of 1976, is hereby amended by striking out, in the third sentence, the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 369. The second sentence of the fifth paragraph of section 50 of said chapter 170, as inserted by section 47 of chapter 750 of the acts of 1962, is hereby amended by striking out the words "fee of five dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, said secretary.

SECTION 370. The second sentence of section 3 of chapter 171 of the General Laws, as amended by section 106 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 371. The second paragraph of section 7 of chapter 172 of the General Laws, as most recently amended by chapter 635 of the acts of 1977, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:- Such an application for a proposed trust company or proposed credit union shall be accompanied by an investigation fee, the amount of which shall be determined by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 372. The third sentence of the second paragraph of section 9 of said chapter 172, as amended by section 107 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "payment of a fee equal to one-twentieth of one per cent of the capital stock of said corporation as set forth in said articles but not less than one hundred dollars, shall" and inserting in place thereof the words:- receipt of a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, said state secretary shall.

SECTION 373. Paragraph (a) of section 11 of said chapter 172, as most recently amended by section 6 of chaper 293 of the acts of 1979, is hereby further amended by striking out, in the third sentence, the words "of five hundred dollars for each branch office applied for" and inserting in place thereof the words:- for each branch office applied for, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 374. Clause 1 of subsection A of section 38 of said chapter 172, as inserted by section 19 of chapter 1149 of the acts of 1973, is hereby amended by striking out, in the last sentence, the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 375. Clause 2 of said subsection A of said section 38 of said chapter 172, as inserted by section 20 of said chapter 1149, is hereby amended by striking out, in the last sentence, the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 376. Section 2 of chapter 172A of the General Laws, as most recently amended by section 21 of chapter 1149 of the acts of 1973, is hereby further amended by striking out, in the second sentence, the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which

shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 377. The second sentence of section 12 of said chapter 172A, as inserted by section 22 of said chapter 1149, is hereby amended by striking out the words "fee of five hundred dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 378. The second sentence of section 12A of said chapter 172A, as inserted by section 23 of said chapter 1149, is hereby amended by striking out the words "fee of one thousand dollars" and inserting in place thereof the words:- fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 379. The fifth sentence of subsection (a) of section 8 of chapter 174A of the General Laws, as appearing in section 1 of chapter 614 of the acts of 1947, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 380. Section 4 of chapter 174B of the General Laws, as appearing in chapter 713 of the acts of 1973, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The annual license fee payable to the commonwealth shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 381. The last sentence of section 10 of said chapter 174B, as appearing in section 3 of chapter 850 of the acts of 1974, is hereby amended by striking out the words "five dollars annually" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 382. Chapter 175 of the General Laws is hereby amended by striking out section 14, as inserted by section 1 of chapter 1000 of the acts of 1977, and inserting in place thereof the following section:-

Section 14. He shall collect from the applicant and pay to the commonwealth charges and fees to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for the following:

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;

For the valuation of life policies of a domestic company as provided in section nine;

For each certificate issued under section sixteen; provided, that such certificates shall be issued without charge for the use of the commonwealth;

For each certificate under section thirty-two;

For the valuation of each outstanding group annuity contract issued by a domestic company including all annuity benefits evidenced by certificates issued thereunder, 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 section fifty-four;

For each certificate issued by the commissioner under section seventy or section seventy-one;

For filing copy of charter or deed of settlement of each foreign company under section one hundred and fifty-one;

For filing copy of charter, amendment, or amended charter or deed of settlement of each foreign company;

For filing financial statement with the application for admission of a foreign company under section one hundred and fifty-one, and for filing 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;

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; 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;

For each license or renewal thereof to an insurance broker under section one hundred and sixty-six;

For each license or renewal thereof to a special insurance broker under section one hundred and sixty-eight;

For each license or renewal thereof to an adjuster of fire losses under section one hundred and seventy-two;

For each license or renewal thereof to an insurance adviser under section one hundred and seventy-seven B;

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;

For each copy of any paper on file in the office of the commissioner and for copies of tabulations and for certifying the same;

For each policy form submitted for approval, including endorsements, applications and riders filed therewith;

For each certificate endorsement, application or rider filed for approval separate from a policy form;

For each license issued or renewed in accordance with the provisions of the fifth clause of section one hundred and fifty-one;

All other fees and charges due the commonwealth for any official act of service of the commissioner.

SECTION 383. Section 49 of said chapter 175 is hereby further amended by striking out the sixth paragraph, as amended by section 109 of chapter 684 of the acts of 1972, and inserting in place thereof the following paragraph:-

The fee to be paid to the state secretary by a stock company or a mutual company upon the filing of the articles of organization shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 384. The first paragraph of section 56 of said chapter 175 is hereby amended by striking out the next to last sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:- Such certificates shall thereupon be filed with the state secretary, who, upon payment of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, shall issue to such corporation a certificate of reincorporation as a stock company, with the powers retained and hereby conferred.

SECTION 385. Section 113M of said chapter 175 is hereby amended by striking out the last sentence of the first paragraph, as appearing in section 17 of chapter 266 of the acts of 1976, and inserting in place thereof the following sentence:- The fee for such license and each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 386. The third sentence of section 6 of chapter 176 of the General Laws, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out the words

"five dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 387. The second sentence of section 29 of said chapter 176, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out the words "twenty dollars" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 388. Clause (a) of subsection (4) of section 35 of said chapter 176, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- as determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 389. The first sentence of subsection (1) of section 41 of said chapter 176, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 390. The first sentence of section 25 of chapter 176A of the General Laws, as appearing in section 1 of chapter 766 of the acts of 1950, is hereby amended by striking out the words "of two dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 391. The last sentence of the second paragraph of section 2 of chapter 176B of the General Laws, as amended by section 14 of chapter 698 of the acts of 1957, is hereby further amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 392. The last sentence of the second paragraph of section 2 of chapter 176E of the General Laws, as appearing in chapter 714 of the acts of 1962, is hereby amended by striking out the words "twenty-five dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provison of section three B of chapter seven.

SECTION 393. The last sentence of the second paragraph of section 2 of chapter 176F of the General Laws, as appearing in chapter 774 of the acts of 1962, is hereby amended by striking out the words "ten dollars" and inserting in place thereof the

words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 394. The last sentence of section 3 of chapter 179 of the General Laws, as appearing in section 1 of chapter 130 of the acts of 1943, is hereby amended by striking out the words "of five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 395. Chapter 180 of the General Laws is hereby further amended by striking out section 11C, as amended by chapter 684 of the acts of 1972, and inserting in place thereof the following section:-

Section 11C. Filing fees for the following shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven:

(a) For filing articles of organization required by section three.

(b) For filing articles of amendment required by section seven.

(c) For filing restated articles of organization in accordance with section seven.

(d) For filing a petition in accordance with section seven A.

(e) For filing articles of consolidation or merger in accordance with section ten.

(f) For the reservation of a name, or the extension of a reservation, and payment of the fee shall accompany the application.

(g) For filing all other certificates, statements, or reports required by this chapter unless another filing fee is specifically provided therefor.

SECTION 396. The third paragraph of section 26A of said chapter 180, as most recently amended by section 117 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of ten dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 397. The last sentence of section 5 of chapter 181 of the General Laws, as appearing in section 1 of chapter 844 of the acts of 1973, is hereby amended by striking out the words "two dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 398. Said chapter 181 is hereby amended by striking out section 7, as appearing in section 1 of chapter 844 of the acts of 1973, and inserting in place thereof the following section:-

Section 7. Every foreign corporation shall pay to the state secretary a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven for filing an initial certificate, amended certificate or report of condition as required by section four.

SECTION 399. The second sentence of section 2 of chapter 182 of the General Laws, as most recently amended by section 119 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "one hundred dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 400. Section 13 of said chapter 182, as amended by section 120 of chapter 684 of the acts of 1972, is hereby further amended by striking out the words "of twenty-five dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 401. The second sentence of section 2 of chapter 255B of the General Laws, as inserted by section 24 of chapter 1149 of the acts of 1973, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 402. The sixth sentence of said section 2 of said chapter 255B, as inserted by section 1 of chapter 792 of the acts of 1969, is hereby amended by striking out the words "two hundred and fifty dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 403. The last sentence of said section 2 of said chapter 255B, as appearing in section 3 of chapter 187 of the acts of 1975, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 404. Section 3 of said chapter 255B is hereby amended by striking out the fourth sentence of the first paragraph, as inserted by section 3 of chapter 346 of the acts of 1978, and inserting in place thereof the following sentence:- The commissioner shall assess the licensee fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each person participating in such investigation.

SECTION 405. The first paragraph of section 3 of chapter 255C of the General Laws, as most recently amended by

section 27 of chapter 1149 of the acts of 1973, is hereby further amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 406. The first sentence of the fifth paragraph of said section 3 of said chapter 255C, as inserted by section 2 of chapter 793 of the acts of 1969, is hereby amended by striking out the words "two hundred dollars" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 407. The first paragraph of section 6 of said chapter 255C is hereby amended by striking out the second sentence, as inserted by section 4 of chapter 346 of the acts of 1978, and inserting in place thereof the following sentence:- The commissioner shall assess the licensee fees, to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each person participating in such an investigation.

SECTION 408. Section 11 of said chapter 255C is hereby amended by striking out the first paragraph, as inserted by section 4 of chapter 793 of the acts of 1969, and inserting in place thereof the following paragraph:-

The fee for an insurance agent or an insurance broker in his application for a license under section three shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven and shall be based upon the aggregate unpaid balance of all premium finance agreements executed or purchased by the agent or broker during the forthcoming year.

SECTION 409. The second paragraph of said section 11 of said chapter 255C, as inserted by said section 4 of said chapter 793, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 410. Section 2 of chapter 255D of the General Laws is hereby amended by striking out the sixth sentence, as inserted by section 29 of chapter 1149 of the acts of 1973, and the seventh sentence, as inserted by section 1 of chapter 794 of the acts of 1969, and inserting in place thereof the following sentences:- Each application for a license shall be accompanied by an investigation fee. Investigation fees and license fees shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 411. The last sentence of said section 2 of said chapter 255D, as inserted by section 5 of chapter 187 of the acts of 1975, is hereby amended by striking out the words "of fifty dollars" and inserting in place thereof the words:- to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 412. Section 3 of said chapter 255D is hereby amended by striking out the fourth sentence, as inserted by section 5 of chapter 346 of the acts of 1978, and inserting in place thereof the following sentence:- The commissioner shall assess the licensee fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, for each person participating in such examination.

SECTION 413. Chapter 262 of the General Laws is hereby further amended by striking out section 36, as most recently amended by section 26 of chapter 486 of the acts of 1976, and inserting in place thereof the following section:-

Section 36. The fee for copies of any official papers or articles of organization certified by the state secretary shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. The fee for the state secretary's certificate on copies or otherwise shall be determined also under the aforementioned provision.

SECTION 414. The first sentence of section 44 of said chapter 262, as appearing in chapter 308 of the acts of 1953, is hereby amended by striking out the words "thirty cents a folio" and inserting in place thereof the words:- a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 415. Section 44A of said chapter 262, as inserted by section 27 of chapter 486 of the acts of 1976, is hereby amended by striking out the words "two dollars each" and inserting in place thereof the words:- determined annually by the commissioner of administration under the provision of section three B of chapter seven.

SECTION 416. Notwithstanding any general or special law to the contrary, for the period beginning July first, nineteen hundred and eighty, and ending December thirty-first, nineteen hundred and eighty-two, the secretary of administration shall determine the amount to be charged for any service, registration, regulation, license, fee, permit or public function which is not provided for by any other section of this act provided, however, that said secretary shall not determine the rates of tuition at state colleges, state community colleges, state universities, and the Massachusetts Maritime Academy or any fees or charges relative to the administration and operation of the trial

court, appeals court, supreme judicial court or any other department of the judiciary of the commonwealth;.

SECTION 417. This act shall take effect as of July first, nineteen hundred and eighty and expire on December thirty-first, nineteen hundred and eighty-two.

Approved July 16, 1980.

EMERGENCY LETTER - July 23, 1980 @ 4:00 P.M.

Chap. 573. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE 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 Mashpee may grant to Gretchen Labute, d/b/a Andy's sport shop a license under the provisions of section fifteen of said chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except section seventeen.

Approved July 16, 1980.

Chap. 574. AN ACT AUTHORIZING THE SALE OF LAND IN THE CITY OF MELROSE.

Be it enacted, etc., as follows:

The city of Melrose is hereby authorized to sell a certain parcel of land, contained in an unused portion of the Mount Hood Park in the city of Melrose, to Robert M. and Beverly A. Druyetis. Said parcel shall be sold for a price calculated at a rate of one dollar per square foot, and is described as follows:

NORTHEASTERLY by Penney Road, fourteen and 32/100 (14.32) feet;

SOUTHEASTERLY by Lot A1, on said plan, thirty-four and 15/100 (34.15) feet, currently owned by Mr. and Mrs. Robert Druyetis;

NORTHWESTERLY by land of City of Melrose, thirty-one (31) feet. Containing 222 square feet and being Lot A2 on Sketch Plan of Land in Melrose, Massachusetts, by Hayes Engineering, Inc., dated March 19, 1980.

Approved July 16, 1980.

Chap. 575. AN ACT PROVIDING FOR THE APPOINTMENT OF ADDITIONAL JUSTICES FOR THE PROBATE AND FAMILY COURT DEPARTMENT OF THE TRIAL COURT IN THE BARNSTABLE, BRISTOL, ESSEX, MIDDLESEX, AND NORFOLK COUNTY DIVISIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 211B of the General Laws, as amended by section 111 of chapter 478 of the acts of 1978, is hereby further amended by striking out, in line 7, the word "fifty-eight" and inserting in place thereof the words:- and sixty-three.

SECTION 2. Section 2 of said chapter 211B, as amended by section 112 of said chapter 478, is hereby further amended by striking out, in line 4, the word "twenty-seven" and inserting in place thereof the word:- thirty-three.

SECTION 3. Section 1 of chapter 217 of the General Laws, as most recently amended by section 138 of said chapter 478, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- For each county there shall be a division of the probate and family court department of the trial court, and in each division except those for Suffolk, Middlesex, Essex, Worcester, Plymouth, Hampden, Bristol, Norfolk and Barnstable counties, one appointment of an associate justice of the trial court shall be made and he shall be the justice for that division.

SECTION 4. Section 2 of said chapter 217 is hereby further amended by striking out the first sentence, as most recently amended by said chapter 741 of the acts of 1979, and inserting in place thereof the following sentence:- There shall be five judges of probate in the county of Middlesex, four judges of probate in the county of Norfolk, three judges of probate in the counties of Suffolk, Plymouth, Essex and Bristol, and two judges of probate in each of the counties of Worcester, Hampden and Barnstable.

Approved July 16, 1980.

Chap. 576. AN ACT DIRECTING THE COMMISSIONER OF YOUTH SERVICES TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF ACTON TO THE TOWN OF ACTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of youth services,

hereinafter referred to as the commissioner, in the name of and on behalf of the commonwealth, is hereby authorized to sell and convey, by deed, approved as to form by the attorney general and with the conditions contained in section three of this act, to the town of Acton a certain parcel of land situated in the town of Acton, bounded and described as follows:-

Beginning at the westerly intersection of State Highway Route 2 and Wetherbee Street in the town of Acton, Middlesex County, Massachusetts, thence running northwesterly by the northerly sideline of Route 2 a distance of 2442.00 feet to a stone wall, thence northeasterly by land now or formerly of Clifford E. and Marion M. Armstrong by said stone wall a distance of 1155.00 feet, thence northeasterly by land now or formerly of Jenks Realty Corporation by a stone wall a distance of 1207.00 feet, thence southwesterly by land now or formerly of Clement and Elizabeth Moritz by a stone wall a distance of 604.90 feet, thence southeasterly again by land of aforementioned Moritz a distance of 1599.00 feet to Wetherbee Street, thence southwesterly by Wetherbee Street a distance of about 990.00 feet to the point of beginning. Containing 72.00 acres more or less. All as shown on the Acton Assessors Atlas as Parcel 173 on Plat G-4. Said parcel of land is the same as that transferred to the department of youth services from the department of correction by chapter six hundred and seventy-three of the acts of nineteen hundred and sixty-six.

SECTION 2. The commissioner shall provide for an appraisal by three qualified and independent appraisers to be made to determine the value of said land. The appraisers shall, between them, determine the value of said land and the commissioner may sell said land at the price so determined under the provisions of this act.

SECTION 3. Said land shall be used solely for conservation purposes, and shall be administered, controlled, and managed by the conservation commission of the town of Acton and in the event it is not so used, title shall revert to the commonwealth.

Approved July 16, 1980.

Chap. 577. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-ONE TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects the sums set forth in section two for the purpose and subject to the conditions specified therein are hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and twenty-nine of the acts of nineteen hundred and eighty, for the fiscal year ending June thirtieth, nineteen hundred and eighty-one.

SECTION 2.

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Item Division of Social and Economic Opportunity.

3743-0100 For the administration of a home energy assistance program; provided, that said program shall be administered in accordance with the provisions of the Federal "Home Energy Assistance Act of 1980", Title III of the Crude Oil Windfall Profits Tax Act of 1980 (P.L. 96-223), and any regulations adopted pursuant thereto; and provided, further, that expenditures under this item shall not exceed fifty per cent of the total cost of planning and administering the program $4,003,154

3743-2032 For the purpose of establishing a revolving loan fund to provide for periodic advance funding for an emergency energy crisis assistance program to lessen the impact of high energy costs on low-income individuals and families; provided that the program shall be administered in accordance with the federal programs provided for in the "Home Energy Assistance Act of 1980", Title III of the Crude Oil Windfall Profits Tax Act of 1980 (P.L. 96-223) and the regulations promulgated pursuant thereto; and, provided, further, that no expenditure shall be made from this item until assurances are received, in writing, from the appropriate federal authorities that upon the availability of federal funds for the purpose of such federal program the commonwealth shall be reimbursed for any funds so expended; and provided further that all federal funds received for the purpose of this item shall be credited to the General Fund 4,000,000

Item		
3745-1000	For a program of emergency energy crisis assistance for needy elderly and families whose income is above the Bureau of Labor Statistics' lower living standard but not over one hundred and seventy-five per cent of the poverty level as established by the United States Community Services Administration for one and two person families, provided that such program shall, except for the income eligibility requirement, be administered in accordance with the regulations promulgated for the federal programs provided for in the federal "Home Energy Assistance Act of 1980", Title III of the Crude Oil Windfall Profits Tax Act of 1980 (P.L. 96-223), and the regulations promulgated pursuant thereto; for a program of supplemental emergency energy crisis assistance for needy elderly and families whose income is not above the Bureau of Labor Statistics' lower living standard, provided that federal funds are not available at the time of application for assistance by said needy elderly and families, and provided that said program is administered in accordance with the aforementioned federal regulations, and, provided further that the Executive Office of Communities and Development makes every effort to obtain an "incentive grant" as provided for in the aforementioned federal regulations; and, for winterization and conservation related expenses including low-cost heating system adjustment, said amount not to exceed two million five hundred thousand dollars	$22,500,000

SECTION 2A. Clause (1) of subsection (b) of section 6 of chapter 62 of the General Laws, as appearing in section 2 of chapter 723 of the acts of 1973, is hereby amended by adding the following sentence:- The provisions of this clause shall not apply to any person incarcerated in a state prison or in a county house of correction for any period during a calendar year pursuant to conviction of any crime.

SECTION 3. Section 16 of chapter 62C of the General Laws is hereby amended by striking out paragraph (a), as appearing in

section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following:-

Every distributor, unclassified exporter and oil company, as defined in paragraphs (c), (j), and (l) of section one of chapter sixty-four A, shall, on or before the last day of each month, except June and on or before the twentieth day of June file with the commissioner a return stating the number of gallons and the selling price of fuels sold by him in the commonwealth or exported or caused to be exported from the commonwealth during the preceding calendar month and such other information as the commissioner may deem necessary.

SECTION 4. Said chapter 62C is hereby further amended by inserting after section 16, the following section:-

Section 16A. The commissioner shall not later than thirty days following the end of the month for which returns are due under paragraph (a) of section sixteen compute the fuel taxes to the nearest one-tenth of a cent per gallon the average price per gallon for the month of each type of fuel sold and upon which the tax is levied. Such computations may be used as the basis for all claims for refund or reimbursement under the applicable provisions of law including section seven and seven A of chapter sixty-four A and section twenty-five B of chapter fifty-eight.

SECTION 5. Section 1 of chapter 64A of the General Laws is hereby amended by adding the following two paragraphs:-

(k) "Selling price", the total amount paid by a purchaser to a distributor, unclassified exporter, oil company or unclassified importer as consideration for a sale, valued in money or otherwise. Selling price shall include any amount for which any credit is given to the purchaser and any cost of transportation of the fuel to the purchaser.

(l) "Oil company", every corporation formed for or engaged in the business of importing or causing to be imported into this state for sale in this state, extracting, producing, refining, manufacturing or selling petroleum, provided, however, that a corporation which is neither formed for nor engaged in the business of extracting, producing, refining or manufacturing petroleum but is solely engaged in the business of selling petroleum, whether imported or not, or other products or services, nor is a member of an affiliated oil group as defined in section 1504 (a) of the federal internal revenue code that is so engaged, shall not be considered an oil company.

SECTION 6. Chapter 64A of the General Laws is hereby amended by striking out section 3, as most recently amended by section 3 of chapter 565 of the acts of 1973, and inserting in place thereof the following section:-

Section 3. Every distributor, unclassified importer, oil com-

pany and unclassified exporter shall keep a complete and accurate record of all sales of fuel, including the name and address of the purchaser, the place and date of delivery, the selling price per gallon for each type of fuel sold and the number of gallons at each selling price, and a complete and accurate record of the number of gallons imported, produced, retired, manufactured, compounded or exported and the date of importation, production, refining, manufacturing, compounding or exporting. Every distributor, unclassified importer, oil company and unclassified exporter shall also deliver with every consignment of fuel to a purchaser within the commonwealth a written statement containing the date of purchase, the names of the purchaser and seller, the selling price per gallon for each type of fuel sold, the number of gallons at each selling price delivered, and shall retain a duplicate of each statement. Said record and said written statement shall be in such form as the commissioner shall prescribe and shall be preserved by said distributors, said unclassified importers, oil companies. Said unclassified exporters and said purchasers, respectively, for a period of three years and shall be offered for inspection by the commissioner or his duly authorized agents.

SECTION 7. Said chapter 64A is hereby further amended by striking out section 4, as most recently amended by section 1 of chapter 481 of the acts of 1979, and inserting in place thereof the following three sections:-

Section 4. At the time of filing a return required by subsection (a) of section sixteen of chapter sixty-two C, every distributor, unclassified exporter and oil company shall pay to the commissioner an excise of ten per cent of the selling price of each gallon of fuel sold by him in the commonweath during the calendar month covered by the return.

At the time of filing a return required by paragraph (a) of section sixteen of chapter sixty-two C, every unclassified importer shall pay to the commissioner an excise of ten per cent of the selling price of each gallon of fuel imported or caused to be imported during the calendar month covered by the return.

Section 4A. Every oil company shall in addition pay to the commissioner an excise of two per cent of the selling price of each gallon of fuel sold by him in the commonwealth after January one, nineteen hundred and eighty-one during the calendar month covered by the return.

Section 4B. The excise imposed by section four A of this chapter shall be the liability of the oil company and shall not be included directly or indirectly in the sales price of products it sells in this state.

In addition to the return required to be filed under paragraph

(a) of section sixteen of chapter sixty-two C, every oil company shall file a report certifying under oath that it has not included, directly or indirectly, in the sales price of products it sells in this state the additional excise imposed by this section. A report filed without the required certification shall be deemed not to have been filed.

SECTION 8. Said chapter 64A is hereby further amended by striking out section 13, as most recently amended by section 2 of said chapter 481, and inserting in place thereof the following section:-

Section 13. All sums received under the excise imposed in section four of this chapter, and relative penalties, forfeitures, interest, costs of suits and fines, less all amounts for reimbursement under sections seven and seven A, shall be credited as follows:

(a) Sixty-nine and eighty-five hundredths per cent shall be credited to the Highway Fund.

(b) Whereas not less than fifteen hundredths of one per cent of the excise imposed by section four is obtained from the sale or importation of fuel used in producing or generating power for the operation of watercraft of every description, except seaplanes, said amount shall be credited to the Inland Fisheries and Game Fund established by section two of chapter one hundred and thirty-one.

(c) Fifteen per cent of the excise imposed by section four shall be credited to the Highway Fund and used solely for reimbursing cities and towns for the cost incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one, provided, that one-half of said amount shall be used solely for projects for the construction, reconstruction and improvement, including surface treatments, so-called, 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, further, that said one-half of said amount shall not be subject to assessment under the provisions of section twenty of chapter fifty-nine.

(d) Fifteen per cent of the excise imposed by section four and all sums received as penalties, forfeiture, interest, costs of suits and fines shall be credited to the General Fund and used solely for the payment of cost of construction, reconstruction, operation, maintenance and repair of mass transportation lines and for other mass transportation purposes.

SECTION 9. Section 1 of chapter 64E of the General Laws is hereby amended by adding the following two paragraphs:-

(k) "Selling price", the total amount paid by a purchaser to a

supplier, a user-seller, a user of special fuels or an oil company as consideration for a sale, valued in money or otherwise. Selling price shall include any amount for which any credit is given to the purchaser and any cost of transportation of the fuel to the purchaser.

(l) "Oil company", every corporation formed for or engaged in the business of importing or causing to be imported into this state for sale in this state, extracting, producing, refining, manufacturing, or selling petroleum, provided, however, that a corporation which is neither formed for nor engaged in the business of extracting, producing, refining or manufacturing petroleum but is solely engaged in the business of selling petroleum, whether imported or not, or other products or services, nor is a member of an affiliated group as defined in section 1504 (a) of the federal internal revenue code that is so engaged, shall not be considered an oil company.

SECTION 10. Said chapter 64E is hereby further amended by striking out section 4, as most recently amended by section 5 of chapter 481 of the acts of 1979, and inserting in place thereof the following three sections:-

Section 4. At the time of filing a return required by section sixteen of chapter sixty-two C, every licensee other than a user shall pay to the commissioner an excise of ten per cent of the selling price of each gallon of special fuels sold or used by him in the commonwealth during the calendar month covered by the return.

Section 4A. Every oil company shall in addition pay to the commissioner an excise of two per cent of the selling price of each gallon of special fuels sold or used by him in the commonwealth after January one, nineteen hundred and eighty-one during the calendar month covered by the return.

Section 4B. The excise imposed by section four A of this chapter shall be the liability of the oil company and shall not be included directly or indirectly in the sales price of products it sells in the state, the additional excise imposed by this section. A report filed without the required certification shall be deemed not to have been filed.

SECTION 11. The first sentence of section 3 of chapter 64F of the General Laws, as most recently amended by section 7 of chapter 481 of the acts of 1979, is hereby further amended by striking out, in lines 9 and 10, the words "eight and one-half" and inserting in place thereof the word:- ten.

SECTION 11A. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Oil Profit Tax Fund. Fifty per cent of the money collected pursuant to sections six and nine shall be credited to the Oil

Profits Tax Fund. This fund shall be distributed pro rata to the three hundred and fifty-one cities and towns, based on the quantity of petroleum products purchased and used during the fiscal year ended June thirtieth, nineteen hundred and eighty. Such distribution shall be made pursuant to the provisions of section eighteen A of chapter fifty-eight.

SECTION 12. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Senior Citizen Insulating Program Fund. Fifty per cent of the money collected pursuant to sections six and nine shall be credited to Senior Citizens Insulating Program Fund to carry out the purposes of section twelve A to twelve J, inclusive.

SECTION 12A. There is hereby established a program to be known as the Senior Citizens Insulating Program, hereinafter referred to in sections twelve A to twelve J, inclusive, as (SCIP) to accomplish the purposes of this sections twelve A to twelve J, inclusive, the fund, as provided for in section twelve of this act, is to be administered by the secretary of the executive office of communities and development, or his designate, with the counsel of the secretary of elder affairs. Said secretary shall insure that any monies made available to this program shall be used exclusively for the purposes of sections twelve to twelve J, inclusive and shall not be used for any other purpose.

SECTION 12B. The secretary of the executive office of communities and development is hereby authorized to promulgate rules and regulations deemed necessary to carry out the provisions of sections twelve to twelve J, inclusive and shall submit any such regulations to the joint committee on government regulations for a reasonable time for review and comment prior to promulgation. In addition, said secretary shall solicit the advice and opinion of the senior citizens from the various parts of the commonwealth through written comments or public hearings in order to insure sufficient opportunity for full analysis.

SECTION 12C. The senior citizens insulation program shall provide direct energy conservation grants to persons over the age of sixty-two years old who first submit an estimated work plan which shall include costs of all materials, projected expenditures for installation and labor and other directly related costs. Applicants who submit work plans which amount to a total of less than one hundred dollars shall not be eligible. After a determination that the proposed expenditures represent bona fide and reasonable costs for the work and materials necessary, the applicant shall be considered for a grant from this program. A determination that the proposed work plan is bona fide does not constitute an award of a grant but is merely an approval that the proposed costs are reasonable. Grants shall

be up to five hundred dollars, but in no instance shall they exceed fifty per cent of the total cost of the conservation improvements. Priority shall be given to those senior citizens who are no longer employed on a full-time basis. Applications for the grant and approval of work plans shall be conclusively acted upon no later than four weeks after complete submissions have been made.

SECTION 12D. Applicants for grants under this act shall demonstrate that their total income or family income shall not exceed two hundred and fifty per cent of the poverty level, established by the United States Community Services Program.

SECTION 12E. Landlords who own dwellings where tenants pay their own heating bills shall also be eligible for grants of up to five hundred dollars provided that they can demonstrate that the submitted voucher was entirely and absolutely the cost related to conservation improvements for an apartment occupied by senior citizens who are the heads of their household and pay rent without benefit or contribution from non-senior citizen members of the same household. No landlord may receive a grant greater than five hundred dollars per qualifying senior citizen household and no landlord may receive a total greater that five thousand dollars during any one year during the lifetime of this program. The landlord must enter into a written agreement that he will not pass on the reimbursable portion of the conservation grant to his tenants in any form but further that the non-reimbursable portion may be assessed in prorated installments over a period not less than five years. This provision shall also apply to communities with rent control apartments. Any landlord who receives a grant may not be eligible to apply for another grant under the provisions of this program until five years have elapsed from the time of the first award of funds.

SECTION 12F. The secretary shall set guidelines for the (SCIP) program which insure speedy and expeditious disbursement of grants of qualified applicants and shall report to the governor and the general court after one year with his assessment of the efficacy of the program. He shall make recommendations for legislative changes as well as for additional appropriations, if any.

SECTION 12G. The secretary shall make allocations to local community action agencies, who shall directly administer the grants to senior citizens for the purposes of this act. These local councils shall receive allocations on the basis of the percentage of senior citizens within their service area and the number of dwellings or apartment units owned by senior citizens. Local agencies may expend an amount not to exceed ten per cent

of their allocation for administrative costs related to the provision of said grants.

SECTION 12H. The secretary shall endeavor to insure that at least four thousand direct grants to senior citizens are made during the first year of this program including those of landlords.

SECTION 12I. The secretary shall endeavor to obtain data on the number of dwellings or apartment units owned by senior citizens and the number of dwellings or apartment units rented by senior citizens who must provide or pay for the dwellings heat. The secretary shall deliver a report to the legislature and the governor containing a summary of the findings no more than six months after enactment of this act.

SECTION 12J. Persons who receive a grant from this program but fail to perform the proposed conservation work shall be deemed to be civilly liable for the amount received plus cost including reasonable attorney's fees.

SECTION 13. Any person who purchases fuel or special fuel for a farm vehicles as used for farm purposes on or off public ways shall be reimbursed for any tax cost resulting from a tax imposed by this act as provided in section seven of chapter sixty-four A of the General Laws exempt from the provisions of this act.

SECTION 14. 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.

SECTION 15. This act shall take effect on August first, nineteen hundred and eighty.

I disapprove in section 7, the addition of sections 4A and 4B as amendments to chapter 64A of the General Laws.

and

in section 10, the additions of sections 4A and 4B as amendments to chapter 64E of the General Laws.

and

Sections 11A, 12, 12A-J, inclusive

The remainder of this Bill I hereby approve.

Approved July 17, 1980.

Chap. 578. 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, and 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.

Item		
	JUDICIARY.	
0332-8811	For plans of renovations of existing structure including land acquisition for expanding the First Bristol Division District Court	$500,000
0332-8812	For the purchase, renovations and improvements to the Third District Court building East Cambridge to reactivate the building for court use	2,350,000
0332-8813	For plans and specifications for an addition to the Framingham District Court House	100,000
	MILITARY.	
	Taunton Armory.	
0431-8811	For the construction of a state armory in the city of Taunton; to be in addition to any federal funds available for this purpose; provided, that, notwithstanding the provision of any law to the contrary, the existing armory shall be conveyed to the city of Taunton to be used for municipal purposes upon completion and acceptance of the new armory authorized by this item	850,000
	SECRETARY OF THE COMMONWEALTH.	
0511-8811) 0511-8801)	For the construction of a state archives and state records center building at Columbia Point in the city of Boston; to be in addition to the amount appropriated in item 0511-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	6,600,000
	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.	
1100-8811) 1100-8791) 1100-8781)	For plans and construction of a department of transportation building in the Park Square area of the city of Boston, including the cost of furnishings and equipment and for relocating equipment of agencies which will occupy the building; to be in addition to the amount appropriated in item 1100-8781 of section three of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven and the amount appropriated in item 1100-8791 of section two of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	13,100,000
	Central Services Division.	
	Bureau of Building Construction.	

Item		
1102-8812	For planning and fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of chapter one hunded and forty-three of the General Laws, and for certain other improvements to eliminate fire hazards including improvements to electrical distribution systems, to be designated by the director of the bureau of building construction with the approval of the commissioner of administration	$1,500,000
1102-8813	For planning and renovations to state-owned buildings to make facilities functional for the physically handicapped in accordance with the provisions of section thirteen A of chapter twenty-two of the General Laws; to be in addition to the amount appropriated in chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	1,500,000
1102-8814	For planning and/or renovations and improvements to the treatment and disposal of waste water at the various institutions of the commonwealth, including the acquisition of such additional land and easements therein as may be necessary for the installation of said systems by purchase, by eminent domain under chapter seventy-nine of the General Laws, or otherwise; provided, that no payment shall be made for the acquisition of such additional land and interests therein until three independent appraisals of the value of the property have been made by three qualified disinterested appraisers, to be designated by the director of the bureau of building construction with the approval of the commissioner of administration; to be in addition to the amount appropriated in chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	1,000,000
1102-8815) 1102-8805)	For project programming, feasibility studies, environmental impact reports, and for preparation of preliminary plans and descriptive specification (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 study or environmental impact report; to be in addition to the amount appropriated in item 1102-8805 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	500,000
1102-8816	To cover unexpected contingencies in the cost of certain projects authorized in this capital outlay recommendation, 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 projects 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 com-	

Item		
	missioner of administration	$2,500,000
	Bureau of State Buildings.	
	Saltonstall Building.	
1102-8817	For certain alterations and renovations, including spaces, partition changes, mechanical changes and the cost of furnishings and equipment	1,340,000
1102-8818	To provide for special program for the purchase and installation of certain equipment, amounts for said equipment are based upon schedules approved by the house and senate ways and means committees a copy of which shall be deposited with the commissioner of administration and shall be expended upon recommendation of said commissioner and upon certification by the house and senate committees on ways and means	5,000,000
1102-8819	To provide for a program of special repairs and improvements and certain contingencies of the various properties of the commonwealth said amounts are based upon schedules approved by the house and senate committees on ways and means, a copy of which shall be deposited with the commissioner of administration and shall be expended upon recommendation of the said commissioner and certification by the house and senate committees on ways and means	11,000,000
	Flood Relief Board.	
1185-8811	For the payment of certain tornado damage incurred in August, nineteen hundred and seventy-nine, subject to the approval of the flood relief board, to the town of Oakham	11,629
1185-8812	For the payment of certain flood damage incurred on March twenty-first and twenty-second, nineteen hundred and eighty subject to the approval of the flood relief board, to the Nessacus Middle School in the town of Dalton	200,000
1185-8813	For further carrying out the drainage and flood control works authorized by chapter four hundred and twenty-four of the acts of nineteen hundred and seventy-six and previous authorizations	1,000,000
	EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.	
	Division of Conservation Services.	
2030-8811	For assistance to certain urban cities and towns in the acquisition of lands as provided in chapter nine hundred and thirty-three of the acts of nineteen hundred and seventy-seven; and for assistance to certain urban cities and towns as provided in sections 39, 40 and 41 of this act. These funds being in addition to funds previously appropriated for this purpose provided that not more than three hundred and fifty thousand dollars shall be spent for the purchase of the "Tenney Estate", owned by Saint Basils Salvatorian Fathers	3,350,000
2030-8812	For assistance to all cities and towns in the commonwealth in the acquisition of lands as provided in section eleven of chapter one hundred and thirty-two A of the General Laws; these funds being in addition to funds previously appropriated for this purpose	1,000,000
2250-8812) 2250-8781)	For certain roof repairs to the Lawrence Experimental Station to be in addition to the amount appropriated in item 2250-8781 of section two	

Item		
	of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-eight	$50,000
	Department of Environmental Quality Engineering.	
	Division of Waterways.	
2270-8811	For dredging to establish a harbor anchorage, construct dockage facilities and all appurtenances such as slips, fueling station service building, boat ramp, parking area and launching well, to be in addition to the two hundred thousand dollars appropriated in chapter eight hundred and twenty-two of the acts of nineteen hundred and seventy-three as most recently amended by section twenty-two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	1,600,000
2270-8812	For dredging of certain areas of Boston Harbor to insure the improvement of the environmental quality and to provide access to public beaches and the Boston Harbor Islands	5,000,000
2270-8813	For repairs to the Fort Meadow Reservoir Dam in the town of Marlborough	400,000
2270-8814	For the rehabilitation and improvement to existing facilities to Nantasket piers	500,000
2270-8815	For an investigation and study by the Water Resources Commission relative to the water supply system of the city of Pittsfield	100,000
2270-8816	For the construction of a retention wall to abut the Iron Hill street Dam in the town of Weymouth	60,000
2270-8817) 2270-8802)	For construction for a waterfront park of the Acushnet River in the Ward II area in the city of New Bedford; to be in addition to the amount appropriated in item 2270-8802 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	128,000
2270-8818	For the rehabilitation and the restoration of the Washington Street Dam in the town of Hudson	90,000
	Public Access Board.	
2320-8811	For the acquisition of a parcel of shorefont property on Lake Quinsigamond and for the design and construction of an access road, parking area, boat parking area and boat launching ramp in the town of Shrewsbury	220,000
2320-8812) 2320-8791)	Section two of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight is hereby amended by striking out the language in item 2320-8791 and inserting in place thereof the following:- For the acquisition of a parcel of property in the cities of Everett and Medford and for the design and construction of a public access boat launching ramp, access road, and parking area and for the removal of navigational obstructions in such river.	
2320-8813	For the rehabilitation of an existing public access boat launching ramp and for the design and construction of a marina, parking lot, and support facilities in the city of New Bedford and Clam Lake in the town of Sandersfield pursuant to section seventeen A of chapter twenty-one of the General Laws, provided, however, that the provisions of section forty of chapter seven of the General Laws shall not apply	300,000

Item		
2320-8814	For the construction of a parking area to service the public access boat launching facility at Popes Landing, so called, in the town of Danvers pursuant to the provisions of section seventeen A of chapter twenty-one of the General Laws provided, however, that the provisions of section forty of chapter seven of the General Laws shall not apply	$30,000
2320-8815	For the design of a Public Access Boat launching ramp, parking lot and support facilities on Blish Point, so called, in the Town of Barnstable pursuant to the provisions of section 17A of chapter 21 of the General Laws provided, however, that the provisions of section 40 of chapter seven of the General Laws shall not apply	25,000
2320-9811	For the construction and development of a blind and handicapped trail system and support facilities in the Pittsfield State Forest; provided, however, that notwithstanding the provisions of section 17A of chapter 21 of the General Laws any expenditure from this item shall be contingent upon the completion of all engineering and design documents by the United States Soil Conservation Service and provided further that the provisions of section 40 of chapter 7 of the General Laws shall not apply	35,000
2320-9812	For the acquisition of a parcel of land in the town of Cheshire located at the south end of Cheshire Lake, and for the design and construction of a public access boat launching ramp, access road and parking area	100,000
2330-8811	For a feasibility and engineering study, for acquisition of land and expenses in connection therewith, for preparation of plans, and for reconstruction of the existing shellfish purification plant or construction of a new plant in Newburyport	500,000
	Department of Food and Agriculture.	
2511-8811	For a program of payments for farmland preservation pursuant to chapter seven hundred and eighty of the acts of nineteen hundred and seventy-seven	5,000,000
2511-8812	For a program for planting of tree crops in the cities and towns of the commonwealth	64,000
	EXECUTIVE OFFICE OF HUMAN SERVICES.	
	Soldiers' Home in Holyoke.	
4190-8811) 4190-8801)	For the renovations to existing buildings to correct Life Safety Code deficiencies, including doors, egress, emergency lighting, sprinklers, handicapped facilities and other related improvements to be in addition to the amount appropriated in item 4190-8801 of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	597,700
4190-8812	Item 4190-8802 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine is hereby amended by striking out, in line one, the word "and".	
4190-8813	For roof repairs for the nurses quarters at the Soldier's Home in Holyoke	90,000
	Department of Youth Services.	
4202-8811) 4202-8801)	For a reserve for the planning, acquisition, renovation of secure facilities provided that final site selections shall be subject to the approval of	

Item		
	the commissioner of administration and the house and senate committees on ways and means; and provided further, that this amount shall be in addition to funds authorized in item 4202-8801 of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	$5,000,000
	Department of Correction.	
4311-8811	For planning and repairs, including mechanical plumbing, electrical and safety improvements at various buildings and institutions in the department	450,000
	Massachusetts Correctional Institution at Walpole.	
4313-8811	For planning and renovations to all housing areas to comply with present ACA standards and public health codes and for certain security improvements and special equipment for inmate employment	2,300,000
4313-8812	For the purchase of certain fire equipment to be operated and maintained by the town of Walpole for the protection of state property	85,000
	Northeastern Correctional Center, Concord.	
4314-8811	For replacement, renovations and improvements to farm buildings including plumbing, ventilation, and additional office space	1,948,700
	Massachusetts Correctional Institution at Concord.	
4314-8812) 4314-8751)	For the completion of the renovations in A, B, C, D and E buildings including physical, mechanical, plumbing, electrical and safety improvements; to be in addition to the amount appropriated in item 4314-8751 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six; provided, however, that all expenditures from this item shall be subject to the prior approval of the commissioner of administration and the house and senate committees on ways and means; and provided, further, that said item 4314-8751 of said section two of said chapter four hundred and eighty-one is hereby amended by striking out, in lines 12 and 13, the words:- " , and for the design and preparation of working plans for a maximum security facil	3,573,000
4314-8813	For the demolition of the north wall, east wing, and rotunda, and for the construction of a new perimeter wall in place thereof	1,750,000
	Massachusetts Correctional Institution at Framingham.	
4315-8811	For renovation of the roofs and waterproofing of the exterior masonry walls of the main building complex; to be in addition to the amount appropriated in item 4315-9011 of chapter four hundred and twenty-three of the acts of nineteen hundred and seventy-four	240,500
4315-8812	For a feasibility study to replace existing boiler plant with individual low pressure heating system in each building of the institution	45,000
	Massachusetts Correctional Institution at Norfolk.	
4316-8811) 4316-8792)	For improvements to the water supply at MCI Norfolk including certain improvements at MCI Walpole to be in addition to the amount appropriated in item 4316-8792 of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	1,897,900

Item		
4316-8812) 4316-8793)	For the replacement of the utility distribution systems; to be in addition to the amount appropriated in item 4316-8793 of section three of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	$1,211,000
4316-8813) 4316-8781)	For the construction of new gymnasium to be in addition to the amount appropriated in item 4316-8781 of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven	389,000
	Pre-Releases at Shirley and Lancaster.	
4343-8811	Item 4343-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine is hereby amended by adding after the word "cottages" the following:- and certain other renovations, as required, to comply with the several safety and energy conservations codes	961,000
	Southeastern Correctional Center.	
4344-8811) 4344-8781)	Item 4344-8781 of section three of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven is hereby amended by striking out the language and inserting in place thereof the following:- For the study, design and preparation of working plans for the construction of a new two hundred bed medium security facility including utilities distribution and demolition.	
	Massachusetts Correctional Institution at Plymouth.	
4345-8811	For renovations, alterations and improvements of the housing, work release, kitchen and dining and storage buildings including the cost of equipment and demolition	637,000
	North Central Correctional Center.	
4348-8811	For renovations and improvements to E and F buildings to allow programmed use, and upgrade utility systems, heating, plumbing and electrical systems; and for renovations to the east wing of Thompson Hall and the infirmary	1,690,000
4348-8812	For the design and construction of a wastewater interception plant and appurtenances	1,500,000
	DEPARTMENT OF PUBLIC HEALTH.	
	Lemuel Shattuck Hospital.	
4532-8811	For certain plans, alterations and renovations at Lemuel Shattuck Hospital to facilitate the transfer of patients from Boston State Hospital	750,000
	Massachusetts Hospital School.	
4533-8811	For improvements to the campus fire protection system, including updating of the fire location identification system, modification of utilities and installation of heat/smoke detectors	255,000
	Tewksbury Hospital.	
4536-8811	For renovation of the Nichols Building, including interior refurbishment with redefined spatial allocations and utility and HVAC modifications	750,000
4536-8812	For improvements to the fire protection system, including installation of fire dampers and automatic air supply shut down system	200,000

Item		
	DEPARTMENT OF MENTAL HEALTH.	
	Region IV A.	
	Metropolitan State Hospital.	
5495-8811	For renovations and improvements to correct Life Safety Code deficiencies, plans only	$80,000
	Region V.	
	New Bedford Mental Health Treatment Center and Other Mental Health and Mental Retardation Facilities.	
5500-8811) 8070-26) 8072-35)	Item 8070-26 and item 8072-35 of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby amended by striking out after the title the following:- For preparation of plans for a mental health treatment center or centers in the city of New Bedford, and inserting in place thereof the following:- For preparation of plans and construction including the cost of furnishings and equipment for a mental health and mental retardation treatment center or centers including ICF's in the city of New Bedford and other locations and facilities in Region V.	
	Region VI.	
	Boston State Hosptal.	
5642-8811) 8074-28) 5691-8741)	Item 8074-28 of section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three is hereby amended by striking out the wording and inserting in place thereof the following wording:- For plans, renovations and improvements to the IRR building at Boston State Hospital, including an independent heating system.	
	Massachusetts Mental Health Center, Boston.	
5651-8811) 5661-8791)	For certain renovations and improvements; to be in addition to item 5661-8791 of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	550,000
	Region IV B.	
	Cushing Hospital.	
5897-8811	For plans for the replacement of roofing and flashing, including repairs to joists, facia, and other elements of roof structures of various buildings	50,000
	EDUCATIONAL AFFAIRS.	
7070-8811	To provide for a program of special repairs and improvements and certain contingencies of the various institutions of public higher education in the commonwealth said amounts are based upon schedules approved by the house and senate committees on ways and means, a copy of which shall be deposited with the commissioner of administration and shall be expended upon recommendation of said commissioner and certification by the house and senate committees on ways and means	4,250,000
7070-8812	To provide for a special program for the purchase and installation of certain equipment for the various institutions of public higher education in the commonwealth, amounts for said equipment are based upon schedules approved by the house and senate ways and means committees a copy	

Item		
	of which shall be deposited with the commissioner of administration and shall be expended upon recommendation of said commissioner and upon certification by the house and senate committees on ways and means	$1,500,000
	Framingham State College.	
7111-8811) 7111-8801)	Item 7111-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine is hereby amended by inserting after the word "equipment", in line two, the words:- and the cost of relocating existing operations temporarily to other facilities during construction.	
	Massachusetts Maritime Academy.	
7118-8811	For the purchase of a radar simulator	575,000
	Southeastern Massachusetts University.	
7310-9006	For the costs of securing and cleaning the research laboratory building, including the purchase of supplies	30,000
	University of Massachusetts - Amherst.	
7410-8812	For repairs and renovation to the library building	2,500,000
	University of Massachusetts - Worcester.	
7411-8811	For compensation to the St. George Syrian Antiochian Church of Worcester for land used in the construction of the University of Massachusetts Medical Center	103,010
	University of Massachusetts - Boston.	
7416-8811) 7416-8792)	For modifications to the heating and ventilating system of Building 010; to be in addition to the amount appropriated in item 7416-8792 of section three of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	110,000
7416-8812	For the conversion of the existing combination pumped and gravity sewerage system to a complete gravity system	110,000
7416-8813) 7416-8793)	Item 7411-8793 of section three of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight is hereby amended by adding the words:- and building 010.	
	Board of Regional Community Colleges.	
	Cape Cod Community College.	
7504-8811	For renovation at existing campus for a lecture/demonstration kitchen facility	150,000
	Springfield Technical Community College.	
7514-8811	For the construction of new or upgrading of old elevators in certain buildings	530,000
	Roxbury Community College.	
7515-8811	For constructing and equipping such facilities as are necessary to accommodate Roxbury Community College	30,000,000
	Middlesex Community College.	
7516-8811	For the renovation of the former Marist property, including site improvements, parking facilities and furnishings and equipment to be in addition to the amount appropriated in chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four	850,000

Item		
	Bunker Hill Community College.	
7518-8811	For acquisition of land in accordance with a land disposition agreement between the Commonwealth of Massachusetts and the Boston Redevelopment Authority	$175,000

SECTION 3.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-8811	For the acquisition of lands and for the expenses in connection therewith in order to obtain properties in timely fashion, provided that not more than two hundred fifty thousand dollars shall be spent for the acquisition of approximately forty-eight acres of property located in Plymouth which is surrounded by the state park at Myles Standish after three independent appraisers place a fair market value in writing on said acreage	750,000
2120-8812	For the rehabilitation of earthen dams located on property of the department of environmental management	500,000
2120-8813	For the construction of a bathhouse and development of a natural area for picnicking and for site development and establishment of a path system at Walden Pond State Reservation	600,000
2120-8814	For acquisition and development of coastal land to initiate a long term program for public access to remaining undeveloped beaches	1,000,000
2120-8815	For acquisition of land for recreational use and/or environmental protection at Horseneck Beach	250,000
2120-8816	For plans of swimming and picnic areas, hiking trails, nature study and interpretive areas at Blackstone River State Park, Northbridge and Uxbridge and for a sum not to exceed sixty thousand dollars, for the development of a Blackstone River and Canal Heritage Park Master Plan	160,000
2120-8817	For repairs and renovations to the Bascom Lodge at Mt. Greylock State Reservation, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 2120-8776 of section four of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	200,000
2120-8818	For the development of a master plan for certain property owned by the department of environmental management in the town of Stow	35,000
2120-9811	For site development and the construction of a regional office facility in Pittsfield, including the cost of furnishings and equipment and a visitor information exhibit; to be in addition to the amounts appropriated in item 2120-8783 of section five of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven and item 2121-8791 of section four of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	75,000

Item		
2120-9812	For the acquisition of approximately five hundred and seven acres of intensively managed tree farm property, including one hundred and sixty acres of water on the Nashua River for future development as a passive recreation area; to be in addition to the amount appropriated in item 2120-8804 of section three of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	$150,000
2120-9815	Section four of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight is hereby amended by striking out the language in item 2120-8792 and inserting in place thereof the following: For acquisition and development of the islands in Boston Harbor as provided by chapter seven hundred and forty-two of the acts of nineteen hundred and seventy, including the acquisition and development of a management base on the mainland; to be in addition to the amount appropriated in chapter seven hundred and forty-two of the acts of nineteen hundred and seventy.	

SECTION 4.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.
Department of the Metropolitan District Commission.
Metropolitan Water District.

2420-8811	For a comprehensive master plan to develop future improvements for the metropolitan water system, to be in addition to the amount appropriated in chapter eight hundred and three of the acts of nineteen hundred and seventy-two	1,000,000
2420-8812	For the installation of new meters and equipment for remote monitoring and rehabilitation of the existing system, to be in addition to the amounts appropriated in chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine and chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight	1,000,000
2420-8813	For replacement of certain water mains in Somerville, Medford, Brookline, Chelsea and Everett, to be in addition to the amounts appropriated in chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight and chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	2,000,000
2420-8814	For cleaning and cement-lining existing masonry aqueduct and siphon pipe, and clean, sandblast, repair and coat interior of steel aqueduct siphon pipe	1,800,000
2420-8815	For replacement of approximately 3,150 linear feet of 48-inch steel pipe, a portion of section 52, southern high service pipe lines, on Eliot Street and Health Place, between Loveland Road and Lee Street in Brookline, to be in addition to the amount appropriated in chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	500,000
2420-8816	For the construction of an office and laboratory building, including site preparation and costs of furnishings and equipment to be in addition to the amount appropriated in chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six	250,000

Item		
2420-8817	For repairs and renovations to water supply system facilities including but not limited to building repairs, electrical-mechanical repair and site improvements	$500,000

SECTION 5.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.
Department of the Metropolitan District Commission
Metropolitan Parks District.

2440-8811	For the design, construction and reconstruction of highways, boulevards, parkways, bridges and underpasses owned and maintained by the metropolitan district commission, including pavement resurfacing, installation of guard rails, replacement or installation of traffic signals, augmentation or replacement of street lighting systems, installation of signing systems, grade crossing eliminations and alterations and related improvements	2,500,000
2440-8812	For repair of existing roofs including but not limited to repair of other parts of buildings in conjunction with roof repairs; to be in addition to the amount appropriated in chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	500,000
2440-8813	For design and construction of Phases II and III at the Franklin Park Zoo including exhibit buildings, utilities, service buildings, exhibit site work and interior exhibits; to be in addition to the amount appropriated in chapter eight hundred and three of the acts of nineteen hundred and seventy-two, as amended	5,000,000
2440-8814	For replacement of the existing ammonia refrigeration systems, providing necessary room enlargement where required, and installing new Freon refrigeration equipment	700,000
2440-8815	For general repairs and improvements to existing facilities including site work and landscaping	500,000
2440-8816	For the demolition of the existing bathhouse and construction of a new facility including the cost of furnishings and equipment; construction of new seawalls, and reconstruction or rehabilitation of the existing seawall at Nantasket Beach, Hull; to be in addition to the amount appropriated in chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	150,000
2440-8817	For certain repairs, improvement and additions to existing facilities of the community boating facility on the Esplanade of the Charles River basin and adjoining area	600,000
2440-8818) 2449-7070) 2490-0001)	To meet the costs of certain highway improvements including certain recreational facilities provided that the unexpended balances remaining in item 2449-7070 of chapter five hundred and forty-nine of the acts of nineteen hundred and fifty-nine and item 2490-0001 of chapter five hundred and sixty-one of the acts of nineteen hundred and fifty-nine and chapter three hundred and eighteen of the acts of nineteen hundred and sixty are hereby transferred and made available for this purpose.	

Item		
2440-8819	For repairs and improvements of the existing bathhouse at Carson Beach, Boston	$1,500,000
2440-9811	For the construction of a pedestrian bicycleway fishing piers, landscaping, lighting and extension of the Malden/Medford Line Brook Culvert	2,300,000
2440-9812	For the refurbishing of the Peter Joseph Kelly M.D.C. skating rink in Jamaica Plain	940,000
2440-9813	For the purchase and spreading of beach sand for the construction and reconstruction of beaches owned, operated, and subject to the control of the commonwealth and the metropolitan district commission	736,000
2440-9814	For the purchase of land and for the construction of a boathouse at Pleasure Bay	400,000
2444-8811	For the construction of Truman Parkway in the town of Milton and in the Hyde Park district of the city of Boston and to undertake such safety measures in both parkway design and traffic control as to promote pedestrian and traffic safety	950,000
2444-8812	For the restoration of Alexander Bajko Rink, the Martin J. Olsen Pool and the Martini Music Shell in the Hyde Park district of the city of Boston and for completion of site work at the John F. Thompson Center for Disabled Children; needed environmental work to Turtle Pond and Enneking woodlands and other wooded areas of said reservation; the clearing of forest and environmental improvements, flood control work; completion of Connell Field; for greater public access to and use of the woodlands of Stony Brook Reservation in Hyde Park and Roslindale; and for the construction and reconstruction of recreational facilities including the cost of equipment to be in addition to any other state or federal funds or assistance which may be available for the purpose of said act	1,750,000
2444-8813	For the planning and construction of an all-purpose recreational building to house tennis and related indoor net games; and containing a general meeting room for community use; and an indoor tot lot for small children; - the facility to be erected on Metropolitan District Commission land located in the vicinity of the Upper Basin Division of the M.D.C. in the Brighton section of the city of Boston	1,500,000

SECTION 6.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

6004-8811	For a traffic feasibility study and preparation of plans and descriptive specifications for the reconstruction of Grove Street and Gerard Road in the town of Norwell	3,000
6004-8812) 6004-8756)	Item 6004-8756 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:- To cover unexpected contingencies in the cost of projects authorized by section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six,	

Item		
	section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven and section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine, section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one and section two of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventy-three and to cover unexpected contingencies in the costs of projects authorized in section two of this act, excluding items 1102-8751, 1102-8752, 2681-8752, 3722-8751, 6004-8757, 7070-8751 and 7390-8752, and other than the acquisition of land to be allocated by the commissioner of administration with the approval of the governor; provided, that the allocation to any project shall not exceed a percentage of the total amount appropriated for the project in this or any other act, said percentage to be not more than five per cent plus the percentage increase in the cost of building construction as determined for the period involved by the commissioner of administration from available building cost indexes; and provided, further, copies of said allocations shall be filed immediately with the house and senate committees on ways and means, and that any limitation of the total project cost of an item may be increased by an amount not exceeding said allocation to the project as previously determined, for the period involved, by the commissioner of administration.	
6010-8811	For the creation of one hundred and ten parking spaces for the year round commuter rail utilization in the town of Stoughton, including paving and improvements	$30,000
6020-8811	For repairs to various district buildings, garages, field offices and the Wellesley Maintenance and Traffic Depot, including but not limited to reroofing, residing, ceilings, insulation, materials, lighting, heating and ventilation, plumbing, caulking and water proofing	600,000
	EXECUTIVE OFFICE OF PUBLIC SAFETY.	
	Registry of Motor Vehicles.	
8400-8811) 8400-8801)	For the acquisition of land, or certain land with buildings thereon, in the city of Worcester, by purchase, or eminent domain under chapter seventy-nine of the General Laws; and including preparation of plans and construction of a registry building, including demolition and site preparation and including the cost of movable furnishings and equipment; provided that no payment shall be made for such acquisition until at least three independent appraisals of the value of said property have been made by three qualified disinterested appraisers; and provided, further, that the cost of such appraisal or appraisals may be charged to this item and provided, further, that the unexpended balances remaining in item 8400-8751 of section three of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four, item	

Item

8400-8771 of section three of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six, and item 8400-8781 of section four of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven, and item 8400-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine are hereby transferred and made available for this purpose.

SECTION 7. 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 eighty, 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 8. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purposes of meeting payments, as authorized by sections two to six, inclusive, 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-five. Notes and the interest thereon issued under the authority of this section, notwithstanding any other provisions of this act shall be general obligations of the commonwealth; provided, however, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to allocate the said interest to the several state and other funds to which the payments of said sections two to six, inclusive, are charged.

SECTION 9. 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 bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of one hundred and thirty-five million, four hundred and eighty-seven thousand, and four hundred and thirty-nine dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan, Act of 1980, and shall be issued 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, provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five. All interest and payments on account of principal of such obligations shall be payable from the General 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 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 bonds of the commonwealth to an amount to be specified by the governor from time

to time, but not exceeding, in the aggregate, the sum of three million seven hundred and twenty thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Loan, Act of 1980, and shall be issued 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, provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five. All interest and payments on account of principal of such obligations shall be payable from the State Recreation Areas Loan 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 11. To meet the expenditures necessary in carrying out the provisions of section four of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of seven million and fifty thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks Water District Loan, Act of 1980, and shall be issued 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, provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Parks Water District Loan 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 bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of twenty million and twenty-six thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Loan, Act of 1980, and shall be issued 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, provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Parks District 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 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 bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of six hundred and thirty-three thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Highway Improvement Loan, Act of 1980, and shall be issued 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, provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five. All interest and

payments 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 14. Chapter 798 of the acts of 1979 is hereby amended by striking out section 15 and inserting in place thereof the following new section:-

To meet the cost of expenditures necessary in carrying out the provisions of section seven B 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 three million dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated, on their face, Highway Equipment Loan, Act of 1979, and shall be on the serial payment plan for such maximum term of years, not exceeding five 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 or rates as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-nine. All interest and payment on account of principal of such obligations shall be payable from the Highway Fund Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 15. Section 45 of chapter 29 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first and second sentences.

SECTION 16. Section 49 of said chapter 29 is hereby amended by striking out the first paragraph, as so appearing, and inserting in place thereof the following paragraph:-

The aggregate principal amount of bonds, if any, of any issue of commonwealth bonds stated to mature in any year may vary from the aggregate principal amount of bonds of such issue stated to mature in any other year; provided however, bonds with a level payment of debt service may not be issued. The state treasurer may agree at or prior to the time such issue of bonds is issued with the holders of bonds of such issue or with a trustee, which shall be a trust company or bank with trust powers doing business in the commonwealth, for the benefit of such holders to establish a sinking fund for such issue of bonds, to make deposits into such sinking fund according to a schedule theretofore established by the state treasurer and to use the monies in such sinking fund only for (a) the payment of principal of or interest on, or purchase, at a price not to exceed par of, the bonds of such an issue or (b) the payment of principal of or interest on, or purchase, at a price not to exceed par of, the bonds of any one or more specified maturities of such an issue. The full faith and credit of the commonwealth is pledged to the making of payments to any such sinking fund. Withdrawals from any such sinking fund for the payment of principal of or interest on such bonds, or for the purchase thereof as permitted by this paragraph, may be made without further appropriation or authorization by any officer of the commonwealth. Pending their application for such purpose, monies in any such sinking fund shall be held by the state treasurer or such trustee and invested in (i) direct obligations of, or obligations the payment of the principal and interest of which are unconditionally guaranteed by, the United States of America; (ii) obligations of the Federal National Mortgage Association, Government National Mortgage Association, Federal

Financing Bank, Federal Intermediate Credit Banks, Federal Bank for Cooperatives, Federal Land Banks, Federal Home Loan Banks, Farmers Home Administration, Export-Import Bank of the United States, Student Loan Marketing Association, United States Postal Service, Tennessee Valley Authority or Federal Home Loan Mortgage Corporation or by any other agency or corporation which has been or is hereafter created pursuant to an act of Congress of the United States as an agency or instrumentality of the United States of America; (iii) housing authority bonds issued by public agencies or municipalities and fully secured as to the payment of both principal and interest by a pledge of annual contributions under an annual contributions contract or contracts with the United States of America or project notes issued by public agencies or municipalities and fully secured as to the payment of both principal and interest by a requisition or payment agreement with the United States of America; (iv) interest-bearing time deposits or certificates of deposit of banking institutions or trust companies organized under the laws of any state of the United States or any national banking association, provided that such deposits or certificates shall be continuously and fully secured by obligations described in clauses (i) to (iii), inclusive, having a market value, exclusive of accrued interest, at least equal to the aggregate amount of such deposits and certificates; or (v) any of the securities described in clauses (i) to (iii), inclusive, which are subject to repurchase agreements with any bank or trust company organized under the laws of any state of the United States or any national banking association. Securities purchased as an investment of monies credited to any sinking fund shall be deemed at all times to be a part of such sinking fund. Notwithstanding any provision in any act authorizing all or part of an issue of commonwealth bonds to the effect that such bonds shall be issued upon the serial payment plan or to the effect that the maturities thereof shall 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 or to any similar effect, the provisions of this paragraph shall apply to any issue of commonwealth bonds made after January first, nineteen hundred and eighty unless the act authorizing such issue expressly states that the provisions of this paragraph shall not apply to such issue.

Bonds of the commonwealth may be issued as registered bonds or with interest coupons attached, as the state treasurer may deem best. Such bonds shall bear interest semi-annually at such rate or rates as the state treasurer, with the approval of the governor, shall fix.

SECTION 17. Said chapter 29 is hereby further amended by striking out section 50, as most recently amended by section 51 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:-

Section 50. The state treasurer shall annually in December certify to the budget director the amount necessary to be included in the state tax for the fiscal year beginning on July first following, to provide for serial and sinking fund payments with respect to any bonds or notes of the commonwealth, and each such amount shall be included in the state tax for the year for which it is so certified.

SECTION 18. Said chapter 29 is hereby further amended by striking out section 51, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 51. On all bonds issued for the benefit of any of the metropolitan districts, so called, the state treasurer shall assess upon the said metropolitan districts annually amounts necessary to provide for the serial and sinking fund payments falling due with respect to such bonds.

SECTION 19. Said chapter 29 is hereby further amended by striking out section 52, as amended by section 1 of chapter 389 of the acts of 1954, and inserting in place thereof the following section:-

Section 52. Any premium received on the sale of notes shall be applied without appropriation to the payment of the principal of such notes and any premium received on the sale of bonds shall be applied without appropriation to the payment of the principal of or sinking fund installments with respect to such bonds.

SECTION 20. The armory commission, acting for and on behalf of the commonwealth, is hereby authorized and directed to convey to the city of Taunton, for municipal purposes, by deed approved as to form by the attorney general all the right, title and interest in and to the state armory located in the city of Taunton and described on a deed recorded in the registry of deeds of the Northern Bristol County District in book 694 and 237. Said conveyance is to be made within sixty days of the acceptance by said armory commission of the armory authorized in item 0431-8811 of section two of this act. Said armory shall be used for municipal or associated purposes in accordance with the terms and conditions set forth in said deed and the ownership shall revert to the armory commission if such terms and conditions are not complied with or at such time as it is no longer used for municipal purposes.

SECTION 21. Section 2 of said chapter 798 of the acts of 1979 is hereby amended by inserting after item 2270-8805 the following five items:-

2270-8806	For a study and the development of plans and specifications for flood and erosion control improvements at a watercourse in the city of Revere at Lee Burbank Highway in the vicinity of Revere Beach Parkway	$50,000
2270-8807	For improvements to the Assabet River, including dredging of the river, construction of a dike, containment of sludge and improvements to the leaching fields	200,000
	Department of the Metropolitan District Commission.	
2410-8801	For the construction of a headwall and pumping station in the Linden section of the city of Malden and the North Revere section of the city of Revere	6,000,000
2410-8802	For construction of an extension of a culvert over Beaver Brook in the city of Waltham to the vicinity of Linden Street and Waverly Oaks Road to further alleviate flood conditions	3,000,000
	Department of Agriculture.	
2511-8801	For a program of payments for farmland preservation pursuant to chapter seven hundred and eighty of the acts of nineteen hundred and seventy-seven	5,000,000

SECTION 21A. Section 3 of said chapter 798 is hereby amended by striking out item 2511-8801.

SECTION 22. Section 4 of said chapter 798 is hereby amended by striking out item 2420-8805.

SECTION 23. Section five of said chapter seven hundred and ninety-eight is hereby repealed.

SECTION 24. Section 6 of said chapter 798 is hereby amended by striking out item 2440-8807.

SECTION 25. Section 7A of said chapter 798 is hereby amended by striking out items 1185-8781, 1185-8782 and 2449-8803.

SECTION 26. Said chapter 798 is hereby further amended by inserting after section 7A the following three sections:-

Section 7B.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.
Department of the Metropolitan District Commission.

2449-8803 For the purchase of certain highway equipment $3,000,000

Section 7C.

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.
Flood Relief Board.

1185-8801 For the payment of certain flood damage incurred on November eleventh, nineteen hundred and seventy-seven, subject to the approval of the flood relief board, to the town of Bernardston 26,760

1185-8802 For the payment of certain tornado damage incurred on August tenth, nineteen hundred and seventy-nine, subject to the approval of the flood relief board, to the town of Paxton 20,256

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.
Department of the Metropolitan District Commission.
Metropolitan Water System.

2420-8805 For the payment of damages incurred by certain claimants in the town of Brookline and the city of Somerville whose names are on file at the metropolitan district commission 265,000

MDC Water District Fund 100.0%

Section 7D. To meet the cost of the expenditures authorized by section seven C of this act there is hereby appropriated from the General Fund and other funds as specified therein the sum of three hundred twelve thousand sixteen dollars, said appropriation to expire June thirtieth, nineteen hundred and eighty-one.

SECTION 27. Section 10 of said chapter 798 is hereby amended by striking out, in lines 7 and 8, the words "sixty million eight hundred eighty-five thousand five hundred eighty" and inserting in place thereof the words:- sixty-three million three hundred forty-eight thousand six hundred.

SECTION 28. Section 11 of said chapter 798 is hereby amended by striking out, in the first sentence, the words "ten million five hundred thousand dollars" and inserting in place thereof the words:- four million dollars.

SECTION 29. Section 12 of said chapter 798 is hereby amended by striking out, in lines 7 and 8, the words "seven hundred sixty-five thousand" and inserting in place thereof the words:- five hundred thousand.

SECTION 30. Section thirteen of said chapter seven hundred and ninety-eight is hereby repealed.

SECTION 31. Section 14 of said chapter 798 is hereby amended by striking out, in lines 7 and 8, the words "thirteen million one hundred and seventy-five thousand" and inserting in place thereof the words:- six million four hundred twenty-five thousand.

SECTION 32. Section 15 of said chapter 798 is hereby amended by striking out, in line 8, the words "thirty thousand",- and by striking out, in line 23, the word "eighty-nine" and inserting in place thereof the words:- two thousand and four.

SECTION 33. Section 16 of said chapter 798 is hereby amended by striking out, in lines 7 and 8, the words "nine million forty-seven thousand and sixteen" and inserting in place thereof the words:- six million,- and by inserting after the word "face," , in line 9, the word:- Special.

SECTION 34. Section 2 of chapter 727 of the acts of 1970 is hereby amended by inserting after the word "commonwealth", in line 13, the words:- ; and provided, further, that from the funds required to be reserved by this section, the sum of three hundred thousand dollars shall be made available for improvements and additions to the state pier in the city of Fall River, provided that expenditures for such improvements and additions shall be made notwithstanding the provisions of section one that all expenditures, including the cost of surveys and the preparation of preliminary plans for work undertaken hereunder, the cost of engineering during construction shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other sources, except that in the case of dredging channels for harbor improvements at least twenty-five per cent of the cost shall be so covered.

SECTION 35. The first sentence of the first paragraph of section 1 of chapter 725 of the acts of 1970, as most recently amended by chapter 481 of the acts of 1976, is hereby further amended by striking out, in lines 19 to 22, inclusive, the words "; the sum of nine hundred and fifty thousand dollars for the construction of a covered skating rink and related facilities in North Cambridge on land to be provided by the city of Cambridge".

SECTION 36. The secretaries of the various executive offices of the commonwealth shall review all unexpended appropriations made on or before June thirtieth, nineteen hundred and eighty which are financed in whole or in part by a bond authorization pursuant to Article LXII of the Amendments to the Constitution. Said review shall consider the following:- (a) whether there have been any changes in the physical needs of the commonwealth reflecting different policy or programmatic objectives; (b) the financial ability of the commonwealth to support any increased operating expenditures resulting from the completion of the projects; and (c) the additional debt service resulting from issuance of the bonds. The governor shall transmit a recommendation to the general court on or before April fifteenth, nineteen hundred and eighty-one, detailing which appropriations and bond authorizations, previously authorized but unexpended, should be reduced or repealed. Said recommendation shall include a statement of the reasons for either continuing, reducing or repeating appropriations and bond authorizations.

SECTION 37. The Metropolitan District Commission is hereby authorized to convey to the Massachusetts Turnpike Authority any land it might acquire pursuant to section six A of chapter four hundred and forty-two of the acts of nineteen hundred and seventy-eight, and the Massachusetts Turnpike Authority is hereby authorized to reacquire such land notwithstanding any provision of any general or special law.

SECTION 38. Chapter 44 of the General Laws is hereby amended by striking out section 21 and inserting in place thereof the following section:-

Section 21. The officers of a city, town or district authorized to issue bonds or notes may provide that the bonds or notes of any issue may be called and redeemed, in whole or in part, prior to their stated maturity dates, at such price or prices and under such terms and conditions as they may determine. No such bonds or notes shall be called and redeemed before their stated maturity dates unless funds sufficient to pay the principal thereof, any redemption premium thereon and all interest accrued to the date fixed for redemption have been appropriated by the city, town or district and are then available.

SECTION 39. Chapter 35 of the General Laws is hereby amended by striking out section 37A, as most recently amended by chapter 80 of the acts of 1975, and inserting in place thereof the following section:-

Section 37A. Counties shall not issue any bonds or notes payable on demand, and they shall provide for the payment of all debts, except those incurred in anticipation of revenue or in an-

ticipation of reimbursement from cities and towns, by such annual payments as will extinguish the same at maturity and so that the first of such annual payments on account of any loan shall be made not later than one year after the date of the bond or note issued therefor, and so that the amount of such annual payment in any year on account of such debt, so far as issued, shall not be less than the amount of the principal payable in any subsequent year. The proceeds of any sale of bonds or notes, except premiums and accrued interest, shall be used only for the purposes specified in the authorization of the loan, and may also be used for costs of preparing, issuing and marketing such bonds or notes; provided, that the proceeds of any sale of bonds or notes for building, altering, furnishing or repairing public buildings or the construction or repair of public works may be used to pay management consultants hired under the provisions of section seventeen of chapter thirty-four; and provided, further, that unexpended amounts may be applied to maturing annual payments of the same loan, and provided, further, that so much of such proceeds as has not been so applied at the expiration of two years from the completion of the project for which the loan was authorized shall become part of the next general unappropriated balance established under section twenty-nine or, if such loan was made on behalf of a district, shall be applied in reduction of assessments to be made upon it by the county. A treasurer of a county may invest not more than eighty per cent of the proceeds from the issue of bonds or notes, prior to their application to the payment of liabilities incurred for the purposes specified in the authorization of the loan, in certificates of deposit in trust companies or national banks or in United States treasury bills. Any premium received upon such bonds or notes, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first bonds or notes to mature and any accrued interest received upon the delivery of said bonds or notes shall be applied to the payment of the first interest due thereon.

SECTION 40. Said chapter 35 is hereby further amended by striking out section 37B, as most recently amended by chapter 44 of the acts of 1970, and inserting in place thereof the following:-

Section 37B. The county treasurer of any county, except Suffolk and Nantucket, with the approval of the county commissioners thereof, may issue temporary notes of the county payable in not more than two years from their dates, in anticipation of the issue of serial bonds or notes under any general or special law, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by such general or special law. Temporary notes issued under this section for a shorter period than two years may be refunded by the issue of other temporary notes, provided that the period from the date of issue of the original temporary notes to the date of maturity of the refunding notes shall not be more than two years. Any notes issued in anticipation of serial bonds or notes shall be paid from the proceeds thereof. If a balance remains in the proceeds of a loan issued in anticipation of a serial loan at the time when the serial loan is issued, said balance shall be applied to the payment of such temporary loan.

SECTION 41. Section 38 of said chapter 35, as most recently amended by chapter 75 of the acts of 1953, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:- Notes authorized by section thirty-seven, notes or bonds issued to renew or refund indebtedness existing at the time of issue thereof, notes issued for a term of not more than two years in anticipation of a serial loan, notes or bonds in anticipation of reimbursement from cities, towns and others in connection with work temporarily financed by the county, including tuberculosis hospital maintenance notes under section eighty-five A of chapter one hundred and eleven shall be excepted from the requirement of this section as to advertising for bids and may be sold at public or private sale.

SECTION 42. Said chapter 35 is hereby further amended by inserting after said section 38 the following section:-

Section 38A. Unless otherwise specifically provided, a provision in any act authorizing the county treasurer of any county to issue and sell bonds of the county shall authorize him, with the approval of the county commissioners, to issue and sell bonds subject to call for redemption at any time or from time to time, with or without premium, as such treasurer determines to be in the best interest of the county.

SECTION 43. Section 39 of said chapter 35, as appearing in the Tercentenary Edition, is hereby amended by adding after the word "rate" the words:- or rates.

SECTION 44. Said chapter 35 is hereby further amended by inserting after section 39H, inserted by section 2 of chapter 232 of the acts of 1962, the following section:-

Section 39. If any officer whose signature or a facsimile of whose signature appears on any bonds or notes of a county shall cease to be such officer before the delivery of such bonds or notes, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until such delivery.

SECTION 45. Section 2A of chapter 480 of the acts of 1979 is hereby amended by striking out subparagraph (e) and substituting in place thereof the following new subparagraph:-

(e) a sum not to exceed one million five hundred thousand dollars for certain improvements in the cities of Chelsea and Revere adjacent to United States highway route 1, commonly referred to as the northeast expressway, subject to the following; agreement by the city of Chelsea that no further development be permitted in the lower basin below elevation 12.0.

SECTION 46. The armory commission, acting for and on behalf of the commonwealth, is hereby authorized and directed to sell and convey to the town of Norwood, for municipal purposes, by a deed approved as to form by the attorney general, all the right, title and interest in and to a certain parcel of land with the state armory situated thereon located in the town of Norwood and described on a deed recorded in the Norfolk registry of deeds, dated July 7, 1926, in book 1703 page 421 and bounded and described as follows:

Bordered by a line running South 50° 37", East 121.50' by North East line of Nahanton St. Then, turning and running North 39° 23", East 77.63". Said two lines last mentioned by an unmarked private way. Extending along Nahanton St. to Lyman Place so-called, being a private way. Then turning and running North 63° 46", West 106.44' by Lyman Place. Then turning and running South 39° 23", West 230.79' by other land of grantor to Nahanton St. with all privileges and appurtenances thereto belonging.

Said armory shall be used for municipal or associated purposes in accordance with the terms and conditions set forth in said deed and the ownership shall revert to the armory commission if such terms and conditions are not complied with or at such time as it is no longer used for municipal purposes.

SECTION 47. Section 46 of this act shall take effect upon its acceptance by the town of Norwood.

SECTION 48. Chapter 329 of the acts of 1980 is hereby amended by inserting after section 81 the following new section:-

Section 81A. The department of public works is hereby authorized and directed to expend not more than one hundred thousand dollars for the excavation, filling, loaming, and seeding of salt-contaminated ground on County Road and County Street in Lakeville and to provide for filtration systems to remove sodium chloride from the drinking water of six residences and two businesses on County Road and County Street in Lakeville.

SECTION 49. Chapter 132A of the General Laws is hereby amended by inserting after section 11D the following section:-

Section 11E. The secretary of environmental affairs shall establish a program to assist all cities and town in the Commonwealth, eligible under Title X of the Urban Parks and Recreation Act of 1978 (P.L. 95625), which have established park or recreation commissions or conservation commissions under section eight C of chapter forty of the General Laws, in renovating lands for municipal parks and recreation purposes. The secretary may, from funds appropriated, reimburse any such city or town for money expended by it in renovating such existing facilities. Such renovation reimbursement shall not exceed fifteen per cent of such money expended and may be approved only when the project is at the same time, receiving assistance under Title X of the Urban Park and Recreation Recovery Act of 1978 (P.L. 95-625). No reimbursement of any kind shall be made under this section unless an application, setting forth such plans and information as the secretary may require, has been filed by the city or town and has been approved by the secretary; until such city or town has appropriated or transferred from available funds an amount equal to the total cost of the project; and until the project has been completed to the satisfaction of the secretary, in accordance with the approved plans. Any reimbursement received by a city or town under this section shall be applied to the payment of indebtedness, if any, incurred in such renovation. The director of conservation services, subject to the approval of the secretary, shall establish rules and regulations for the management of this program.

SECTION 50. Chapter nine hundred and thirty-three of the acts of nineteen hundred and seventy-seven is hereby amended by striking out section two.

SECTION 51. No more than twenty per cent of the appropriation contained in item 2030-8811 of section two of this act shall be expended for the purposes of section eleven E of said chapter one hundred and thirty-two A. Said section eleven E shall expire on October one, nineteen hundred and eighty-four.

SECTION 52. Section 20 of chapter 481 of the acts of 1976 is hereby amended by inserting in line 30 after the word "specifications" the words "and construction" and by inserting in line 34 after the word "specifications" the words "and construction".

SECTION 53. This act shall take effect on July first, nineteen hundred and eighty.

I disapprove Item 2120-8818
2120-9811
2440-9811
2444-8811
2444-8813
&
Sections 20
37
46
47

The remainder of this bill I hereby approve.

Approved July 17, 1980.

Chap. 579. AN ACT TO IMPROVE THE SYSTEM OF PUBLIC CONSTRUCTION IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

It is the purpose of this Act to provide the people of Massachusetts with a system of public construction which

(1) results in buildings which are designed and constructed according to the highest professional and technical standards at a fair cost, in a reasonable and controlled period of time, and which serve the needs of their users;

(2) operates under coordinated policies, in a timely, efficient, and professional manner, and is staffed by competent and trained professionals;

(3) properly maintains and makes maximum use of the existing resources of the Commonwealth;

(4) eliminates excessive costs, unwarranted delays and the use of out-dated methods and materials;

(5) requires that all participants be held accountable for their decisions and actions, and

(6) reduces opportunities for corruption, favoritism, and political influence in the award and administration of public contracts.

SECTION 1. The first paragraph of section 4A of chapter 7 of the General Laws, as most recently amended by sections 1, 1A and 1B of the acts of 1978, is hereby further amended by inserting after the words "fiscal affairs" in line 13 the following words:-

a division of capital planning and operations headed by a deputy commissioner of capital planning and operations;

SECTION 2. Said paragraph is further amended by adding the following sentences:-

The deputy commissioner of capital planning and operations shall be appointed by the commissioner of administration, with the prior written approval of the governor, and may be removed in like manner; s/he shall be a person familiar with the principles of and experienced in the methods and practices of the systematic and coordinated planning of capital facilities in relation to economic, environmental, social or other goals, programs and priorities. The deputy commissioner shall devote his/her entire time to the duties of his/her office and shall perform such other functions as the commissioner shall from time to time assign to him/her. No person holding such position shall be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

SECTION 3. Said paragraph is further amended by inserting after the first sentence the following sentence:

The state purchasing agent shall give the bond to the state treasurer in a sum fixed by the governor for the faithful performance of his/her duties and for the rendering of a proper account of all money entrusted to him/her for the use of the commonwealth.

SECTION 4. Section four C of said chapter is hereby repealed.

SECTION 5. Section 21 of said chapter is hereby amended by inserting line 1 after the words "budget director's" the following words:-

and deputy commissioner of capital planning and operations'

SECTION 6. Section thirty-six of said chapter is hereby repealed.

SECTION 7. Said chapter is hereby amended by striking out sections thirty-nine through forty-eight inclusive and inserting in place thereof the following sections:

Section 39A. As used in this chapter and chapter twenty-nine of the General Laws, the following words and terms shall have the following meanings, unless the context shall clearly indicate a different meaning or intent:

(a) "acquisition", obtaining by gift, purchase, devise, grant, eminent domain, rental, rental-purchase, or otherwise;

(b) "addition, expansion and extension", work which will result in an increase in the overall external dimension of a facility;

(c) "administering agency", the public agency acting on behalf of a using agency;

(d) "alteration", work required to modify or adjust the interior space arrangement or other physical characteristics of an existing facility so that it may be more effectively utilized for its presently designated functional purpose;

(e) "building authority", the University of Massachusetts Building Authority, the Southeastern Massachusetts University Building Authority, the University of Lowell Building Authority, or the Massachusetts State College Building Authority or any other building authority which may be established for similar purposes;

(f) "capital facility", a public improvement such as a building or other structure; a utility, fire protection, and other major system and facility; a power plant facility and appurtenances; a heating, ventilating, air conditioning or other system; initial equipment and furnishings for a new building or building added to or remodeled for some other use; a public parking facility; an airport or port facility; a water resource improvement by the metropolitan district commission such as a waste water treatment and related pollution control facility, solid waste disposal or re-

covery facility; a recreational improvement such as a facility or development in a park or other recreational facility; or any other facility which, by statute or under standards as they may be prescribed from time to time by the deputy commissioner of capital planning and operations, according to the provisions of this section, may be defined as such, provided however that a highway improvement such as a highway, bridge or tunnel; a transportation improvement such as a mass transportation or other public transit facility, but not including a department of transportation building in the Park Square area of the city of Boston, shall not be considered a capital facility as defined herein;

(g) "capital facility project", an undertaking for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of a capital facility which is to be financed or funded or is proposed to be financed or funded by the issue of bonds, notes or other evidences of indebtedness of the commonwealth or any public agency thereof or any such undertaking which is to be financed or funded by an appropriation in the annual budget or other appropriation, where the expenditure is, by statute, or under standards as they may be prescribed from time to time by the deputy commissioner of capital planning and operations according to the provisions of this section, a capital expenditure;

(g)(1) "building project", a capital facility project undertaken for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of any building and appurtenant structures, facilities and utilities, including initial equipment and furnishings thereof, but not including appurtenant buildings or structures which are required to be constructed as integral parts of the development of sewer, water and highway systems by a state agency;

(h) "contruction", new construction, alteration, renovation, rehabilitation or other activity that is intended to result in a significant increase in internal usable space;

(i) "control and supervision", authority to perform or contract for performance;

(j) "conversion", work required to modify or adjust the interior space arrangement or other physical characteristics of an existing facility so that it may be effectively utilized for a new functional purpose;

(k) "energy audit", in-depth engineering analysis of factors causing energy waste in building that investigates the amount and cost of energy waste and compares the energy waste with the expense of remedying the energy waste on a cost-effective basis;

(l) "energy conservation projects", projects to promote energy conservation, including but not limited to energy conserving modification to windows and doors; caulking and wea-

ther-stripping; insulation, automatic energy control systems; hot water systems; plant and distribution system modifications including replacement of burners, furnaces or boilers; devices for modifying fuel openings; electrical or mechanical furnace ignition systems; utility plant system conversions; replacement or modification of lighting fixtures; energy recovery systems; and, cogeneration systems;

(m) "maintenance", day-to-day, routine, normally recurring repairs and upkeep;

(n) "master plan", a study or description of a complex or group of buildings or any large or multi-faceted project which is intended to ensure that the various components of the complex shall be compatible with each other, and that the project as a whole shall be compatible with its surroundings;

(o) "oversight", control and supervision, except for final approval of any contract, pre-design or design document or any alteration or modification thereof, payment, certificate of substantial completion, use and occupancy, or final acceptance;

(p) "planning", in reference to a particular capital facility project, the preparation of a master plan, study, program or similar report or analysis the purpose of which is to define the content, cost, and schedule of the project so as to establish a frame of reference prior to design, acquisition, construction, demolition, installation, or maintenance;

(q) "program", a document which defines a capital facility project in terms of its content, time, and cost so that it provides a clear and detailed frame of reference for the design and implementation process, the preparation of such document involving the gathering of data and the analysis of cost necessary to (i) the production of content, time and cost plans based on criteria deriving from those originally defined by any study or similar report and as finally stated within the body of the program itself and (ii) the evaluation of those plans in terms of such criteria;

(r) "public agency", a department, agency, board, commission, authority, or other instrumentality of the commonwealth or political subdivision of the commonwealth or two or more subdivisions thereof;

(s) "real property", land, buildings, appurtenant structures and fixtures attached to buildings or land, including where applicable, all interests in real property, whether created by title, lease, easement or any other legal interest;

(t) "renovation", work required to restore and modernize most or all of a facility in order that the facility may be effectively utilized for its designated functional purpose or to comply with current code requirements;

(u) "repair", work required to restore a facility or system to such condition that it may continue to be approximately and ef-

fectively utilized for its designated purpose by overhaul, reprocessing or replacement of constituent parts or materials which have deteriorated by action of the elements or wear and tear in use;

(v) "state agency", a state agency, board, bureau, department, division, section, or commission of the commonwealth or county;

(w) "study", a feasibility or other study to identify and evaluate alternative solutions to and recommend a solution to the needs and requirements defined by the public agency proposing a capital facility project which may involve a further definition of that agency's needs and requirements, gather additional information on the nature of the project, develop and review potential solutions to those needs and requirements, evaluate the financial, environmental, and other aspects of such solutions, estimate the degree to which solutions do not fulfill proposed objectives and criteria, and recommend a means of project implementation and site acquisition;

(x) "using agency", the public agency which will be the major user of a capital facility project or the occupant of a building project;

(y) "utility systems projects", installation, extension or replacement of systems for the provision of sewer, water and electrical service, power plant facilities and appurtenances, heating, ventilating and air conditioning, elevators, fire escapes, sprinklers and automatic fire alarms and telephone communications;

The deputy commissioner of capital planning and operations, after review by interested public agencies who may seek to initiate capital facility projects, shall establish standards as to what shall constitute a capital facility and what shall be a capital expenditure for the purpose of defining what shall constitute a capital facility project.

Section 39B. Except as otherwise provided in this chapter or any other statute or appropriation act, the deputy commissioner of capital planning and operations shall be responsible for:

a) integrated and coordinated planning and budgeting of capital facilities on an annual and long-term basis;

b) acquisition, allocation and disposition of real property;

c) direction, control, supervision and oversight as to the planning, design, construction, demolition, installation, repair and maintenance of specific capital facilities and capital facility projects;

d) efficient management of the operation of the division of capital planning and operations as a whole and the proper coordination of the work of and effective operation of individual offices, bureaus, and other sections which might be located therein.

The deputy commissioner shall promulgate rules and regulations pursuant to the provisions of chapter 30A. However, it is further provided that the state secretary shall not accept for filing any regulation, or any amendment or repeal of any regulation, unless such regulation, amendment or repeal has been approved by the general court and the governor. Any regulation or any amendment or repeal of any such regulation adopted by the division of capital planning and operations shall be submitted to the general court for approval. The division shall file the proposed regulation, amendment or repeal with the clerk of the house of representatives, together with a statement that the pertinent provisions of this section have been complied with. Any regulations filed with the general court under the provisions of this section shall be accompanied by a summary of the regulation in layman's terms. The clerk shall refer such regulation to the appropriate joint standing committee within five days of the filing thereof. The committee shall consider the proposed regulation, amendment or repeal and shall report to the general court within forty-five days whether the same should be adopted in the manner submitted. The clerk of the senate and the clerk of the house shall recommend to the general court the form and procedure which shall be followed in considering the approval of a proposed regulation, amendment or repeal, provided that approval or disapproval shall be by joint resolution; and provided, further, that any such regulation, amendment or repeal shall not be subject to amendment by the general court.

The clerk of the senate shall cause any regulation, amendment or repeal approved by both branches of the general court within seventy-five days from the time of filing of the same with the clerk of the house of representatives, to be forwarded to the governor for his approval; provided, that any such regulation, amendment or repeal which is not approved by the general court and the governor within ninety days of such filing shall be deemed to have been disapproved.

If the governor approves any regulation, amendment or repeal submitted to him, as hereinbefore provided, he shall forward the same to the state secretary who shall publish the same in accordance with section five of chapter 30A.

Emergency regulations may be adopted during the prorogation of the general court in the manner provided by section five of chapter 30A provided that such regulation shall be filed with the clerk of the house of representatives for submission the next session of the general court for approval as hereinbefore provided; and provided, further, that such regulation shall not remain in force for more than ninety days after the general court has convened for such session.

The deputy commissioner shall administer programs placed under his direction, undertake any special studies and inves-

tigations and submit reports and render advice thereon as may be requested by the commissioner of administration and as required by the general court.

The deputy commissioner and his/her staff shall provide information to and cooperate with the general court or any of its committees in connection with the development and analysis of any long term capital facilities development plan or capital budget proposal.

The deputy commissioner of capital planning and operations may, in furtherance of the function of his/her office, accept and receive funds, grants and services from the federal government or its agencies, and from departments, agencies and instrumentalities of state and local government or from private individuals, trusts and estates.

The deputy commissioner may from time to time contract for professional services in connection with the work of the division.

Section 39C. The deputy commissioner of capital planning and operations shall advise the governor and the commissioner of administration on the means and methods available to coordinate capital facility project plans and programs of all public agencies and the federal government in order to establish relative priorities and to avoid duplication and conflicts. He/she shall create a central depository for planning documents as they relate to that end - and amendments thereto and revisions thereof - prepared by or for public agencies. Effective on the effective date of this act, every public agency shall submit a list and description of such documents as currently exist and as they are promulgated and upon the deputy commissioner's request, submit to him/her a copy thereof. The deputy commissioner may by rule and regulation identify the documents required to be submitted.

The division of capital planning and operations - if it is not designated as the state clearinghouse as provided for by the federal Intergovernmental Cooperation Act of nineteen hundred and sixty-eight, as amended, and regulations promulgated pursuant thereto - shall be notified in a timely manner by the agency designated as the state clearinghouse as to any capital facility projects being reviewed by said agency. The deputy commissioner of capital planning and operations shall review such projects in light of current long range capital facility plans and other programs and policies of the Commonwealth and submit his/her comments and recommendations to the agency designated as the state clearinghouse.

Section 40A. Except as otherwise provided in this section or by any other statute or appropriation, the division of capital planning and operations shall exercise jurisdiction over capital facility projects to the extent provided below:

(1) Control and supervision of all building projects undertaken by any state agency, except to the extent provided for by sections forty B and forty-three C of chapter seven. Using agencies shall cooperate in any inquiries or inspections conducted by the division of capital planning and operations.

(2) Oversight as to building projects undertaken by any building authority, except to the extent provided for by section forty B and forty-three C of chapter seven. Building authorities shall cooperate in any inquiries or inspections conducted by the division of capital planning and operations to ensure conformity with all applicable standards and guidelines.

(3) For housing projects within the jurisdiction of the department of community affairs as defined by section one of chapter one hundred and twenty-one B, the division of capital planning and operations shall provide only for the establishment of minimum requirements for record keeping and reporting by the department and operating agencies, as each is defined by section one of chapter one hundred and twenty-one B, and review of and recommendation as to the standards and guidelines for, direction, control, and supervision of their building projects. The department and operating agencies shall cooperate with the division of capital planning and operations, regarding inquiries and inspections conducted as to housing projects within their respective jurisdictions.

(4) For all capital facility projects of cities and towns for which specific approval or authorization by the general court or a state agency is otherwise required and for all capital facility projects of all other public agencies not included within the scope of paragraphs (1), (2), and (3), establishment of requirements for record keeping and reporting by the administering agency as to control and supervision of capital facility projects, so that the division of capital planning and operations may assess the nature, scope and programs of all planned or current capital facility projects and fulfill its responsibilities as defined by this chapter and other relevant statutes. For the purposes of identifying agricultural lands, the deputy commissioner shall utilize criteria established by the secretary of environmental affairs. Such criteria shall determine agricultural land according to past and present agricultural use, and according to the agricultural production suitability of land as defined by the standards of the United States Department of Agriculture Soil Conservation Service. For all capital facility projects or programs funded in whole or in part by federal funds, the record keeping and reporting requirements established pursuant to this paragraph and other relevant statutes may be satisfied by the federal requirements, but only to the extent that the state requirements duplicate the federal requirements or materially conflict with them. State and federal requirements shall be deemed to be

materially conflicting only when it would be impossible or unduly burdensome to comply with both sets of requirements. Neither this provision nor any other provision of sections thirty-nine A through forty-three F, inclusive, of this chapter is intended or shall be construed to limit the authority of any public agency - other than those specified in paragraphs (1) and (2) of this section - to control and supervise any capital facility project undertaken by that agency.

Section 40B. The deputy commissioner shall, in the manner and extent provided by this chapter, have control and supervision of all building projects of state agencies and building authorities, the estimated cost of which exceed twenty-five thousand dollars, and that involve structural or mechanical work. State agencies and building authorities shall have control and oversight as to supervision of projects involving the ordinary maintenance of their buildings, structures or utilities, to the extent that the estimated cost of a project is less than twenty-five thousand dollars, or the project does not involve structural or mechanical work, unless otherwise specified by the act in which funds for the project are appropriated. State agencies and building authorities controlling and supervising projects with contracted construction costs of five thousand dollars or more shall keep records and report to the deputy commissioner on all such projects in accordance with minimum standards and guidelines promulgated by the deputy commissioner on the advice of the director of project management and the director of facilities management.

The deputy commissioner shall allocate projects within the control and supervisory jurisdiction of the division of capital planning and operations between the office of project management and the office of facilities management as follows: (a) all new construction, addition, expansion and extension, conversion, renovation projects shall be controlled and supervised by the office of project management; and (b) all repair, alteration, utility system, fire, health and safety, handicapped access and energy conservation projects shall be controlled and supervised by the office of facilities management.

Section 40C. (1). The deputy commissioner of capital planning and operations shall, through his/her own staff:

(1) develop and operate automated management and information systems and provide data processing services;

(2) develop and maintain all necessary accounting and financial systems;

(3) develop, justify and monitor internal operating budgets;

(4) provide business services including central filing, printing, and reproduction, correspondence and word processing services;

(5) develop and maintain all necessary systems to administer payments to those contracting for the provision of services and supply of materials;

(6) develop and operate an accounting, reporting, and financial management system that will permit proper management of the capital facility program;

(7) perform or contract for performance of research on innovative methods for the acquisition, planning, design, construction, demolition, installation, and repair and maintenance of capital facilities;

(8) give counsel on all legal matters affecting capital facility projects provided that this provision shall not preclude the employment of counsel by any office within division of capital planning and operations, and

(9) approve project budgets and the award of contracts;

(10) recommend and where appropriate, certify for disbursement monies appropriated or authorized for capital facility projects;

(11) establish guidelines and requirements for the preparation and retention of records and reports pertaining to the nature, scope and progress of capital facility projects;

(12) perform such other acts in accordance with his/her responsibilities to assure the proper management of the operation of the division of capital planning and operation as a whole and the proper coordination of the work of and effective operation of the individual offices located therein.

The deputy commissioner shall, after providing an opportunity for the attorney general and other interested parties to comment, promulgate and from time to time revise uniform contract conditions appropriate to the type of service being rendered to be incorporated in all contracts for services of that type related to capital facility projects. Such uniform contract conditions may be supplemented by but shall take precedence over additional contract conditions for any particular capital facility project.

The deputy commissioner may from time to time establish within the division of capital planning and operations such administrative units - in addition to the offices of programming, project management and facilities management and the bureau of state office buildings - as may be necessary for efficient and economical administration of the work of said division; and when necessary for such purpose, s/he may abolish such unit or s/he may merge any two or more of them. S/he shall prepare and keep current a general statement of the organization of said division and of the assignment of functions to its various administrative units, officials, and employees. Said statement shall be known as the "description of organization" of said division, and shall be kept on file in said division.

The deputy commissioner shall develop quantitive performance measures for each individual office and other administrative unit located therein and for the division as a whole. Using such measures, the deputy commissioner shall once each year prepare and submit to the commissioner of administration a report on the performance of the individual offices and of the division as a whole, comparing that performance with that of the previous three years, the reasons for any change, and recommending changes in the operation of the division and its offices, as will improve their performance.

The directors of individual offices and the heads of other administrative units located in the division shall, upon request by the deputy commissioner conduct internal operational, financial, and compliance audits.

Section 40C. (2). The terms used in this section shall have the meanings set forth below whenever they appear in this section.

"Minority" means a person with permanent residence in the United States who is American Indian, Black, Cape Verdean, or Western Hemisphere Hispanic.

"Minority business" means any contracting or subcontracting business which is beneficially owned by one or more minority persons as follows:

(1) The business must be at least fifty-one per cent owned by minority person; in the case of a corporation having more than one class of stockholders, the ownership requirement must be met as to each class of stock;

(2) The minority owners must demonstrate that they have control over management;

(3) The business has not been established solely for the purpose of taking advantage of a special program which has been developed to assist minority businesses;

(4) In the case of a joint venture between a minority business meeting the requirements of (1) through (3) above and a non-minority business, the joint venture shall be found to be a minority business if the minority business meeting the requirements of (1) through (3) above shall have more than one-half control over management of the project bid upon and shall have the right to receive more than one-half of the profits deriving from that project.

"Women-owned business" means any contracting or subcontracting business which is beneficially owned by one or more women meeting the requirements set forth in parts (1) through (4) of the definition of minority business above, except that the terms "women", "women owners", and "women-owned business" shall be substituted for the terms "minority" and "minority persons", "minority owners", and "minority business" appearing in that definition.

The deputy commissioner, with the cooperation and approval of the state office of minority business assistance (SOMBA) established by section thirty-eight of chapter twenty-three A, shall establish a specific percentage or range of percentages or dollar value of contracting and subcontracting work on capital facility projects subject to the supervision and control of the division of capital planning and operations which shall be reserved for minority businesses. The portion of work reserved for minority businesses under this section shall not constitute less than five per cent of the total estimated construction cost of each such project, and such percentage shall be increased on a project-by-project basis to reflect the percentage of minority population within the standard metropolitan statistical area or labor market area in which each such project is located, as adjusted by the most current available state or federal census data. The deputy commissioner, with the cooperation and approval of SOMBA, shall establish a separate specific percentage or range of percentages or dollar value of contracting and subcontracting work on capital facility projects subject to the supervision and control of the division of capital planning and operations which shall be reserved for women-owned businesses. The portion of work reserved for women-owned businesses under this section shall not constitute less than five per cent of the total estimated construction cost of each such project. No portion of the contracting or subcontracting work reserved for minority businesses under the provisions of this paragraph shall be let to any women-owned business not meeting the requirements of a minority business under this section; nor shall any portion of the contracting or subcontracting work reserved for women-owned businesses under the provisions of this paragraph be let to any minority business not meeting the requirements of a women-owned business under this section. The deputy commissioner, with the cooperation and approval of SOMBA, shall develop the necessary contract specifications to carry out the purposes of this section. SOMBA shall be responsible for establishing and updating, by periodic additions and deletions, a list of minority and women-owned business under this section. The deputy commissioner, with the cooperation and approval of SOMBA, shall develop the necessary contract specifications to carry out the purposes of this section. SOMBA shall be responsible for establishing and updating, by periodic additions and deletions, a list of minority and women-owned contracting and subcontracting businesses meeting the requirements set forth above, and shall cause the list to be published in the central register established by section twenty of chapter nine and in such other publications as the deputy commissioner shall designate.

The deputy commisssioner shall by March fifteenth of each year submit to SOMBA, the commissioner of administration, the

state commission against discrimination, and the general court a report describing the number of contracts and subcontracts awarded by the division of capital planning and operations to minority and women-owned businesses within the preceding calendar year. The report shall, at a minimum, show the name and address of each such business, its designation as a minority or women-owned business, the contract or subcontract price, a description of the work performed on each such contract by class of work and project type, and shall show separately the total number of contracts and subcontracts awarded to minority and women-owned businesses as a percentage of the total number of contracts awarded and as a percentage of the total contract price.

Section 40D. The deputy commissioner shall, no less often than once every three months, prepare a comprehensive report on the progress of all capital facility projects subject to the jurisdiction of the division of capital planning and operations as defined by section forty B of this chapter but not including those for which a city or town is the administering agency. At the discretion of the deputy commissioner, said reports may exclude capital facility projects with a total project cost of less than twenty-five thousand dollars for which the administering agency is other than a state agency. Said report shall include, but not be limited to, a statement of the name of each project, the administering agency and the using agency, a brief current description of the project and any substantial changes in the description of the project during the past three months, the source of funds, the state of progress of the project, a summary of the total and major costs of the projects as originally estimated and as currently expended or currently estimated to be expended, the original project schedule and the current and estimated progress of the project, and such other information as the deputy commissioner may require be included. Said report shall be submitted to the commissioner of administration and shall be a public document.

The deputy commissioner of capital planning and operations shall by February 15 of each year prepare a comprehensive annual report on the progress of all capital facility projects subject to the jurisdiction of the division of capital planning and operation defined by section forty A of this chapter. At the discretion of the deputy commissioner, said annual report need not include capital facility projects with a total project cost of less than twenty-five thousand dollars for which the administering agency is other than a state agency. Said annual report shall constitute one of the four reports required by the previous paragraph of this section but shall contain in addition to the information required in the previous paragraph for each capital facility project, the following data: the authorizations for and

sources of funds and expenditure and unencumbered balances thereof; identification of the designers and contractors who have contracted with the administering agency to provide materials or services therefor, the administering agency's project and contract numbers, the value of the contracts and the amount of money paid in accordance with the contracts; and such other information as the deputy commissioner may require be included. The deputy commissioner shall also include in his/her report a statement of the problems which have arisen in the capital facility procurement programs and procedures of public agencies and his/her specific recommendations for administrative and legislative action which in his/her view are necessary to remedy such problems. Said report shall be submitted to the commissioner of administration and the general court and shall be a public document available for general distribution.

The deputy commissioner shall by February 15 of each year prepare a comprehensive report including but not limited to, an analysis of the utilization, cost and method of acquisition of real property acquired for the use of state agencies; the sale or rental of such real property and revenue realized therefrom; and problems which have arisen in the management of real property by the commonwealth, with specific recommendations for administrative and legislative action which in his/her view are necessary to remedy such problems. Said report shall be submitted to the commissioner of administration and the general court and shall be a public document available for general distribution.

SECTION 8. Section 17 of chapter 393 of the acts of 1979 is hereby repealed.

SECTION 9. Section 18 of chapter 393 of the acts of 1979 is hereby repealed.

SECTION 10. Title to real property held in the name of a state agency, or the board of trustees of a facility of a state agency, shall be transferred to the name of commonwealth; and shall be subject to the jurisdiction of the division of capital planning and operations as provided for by Sections 11-13 of this act. All state agencies shall cooperate with the deputy commissioner of capital planning and operations in effecting such transfer of title.

SECTION 11. Cognizant of delegations the general court has made pertaining to the acquisition, control and disposition of real property, the general court authorizes the deputy commissioner of capital planning and operations to transfer the use of real property within and between state agencies and between state agencies and other public agencies or the federal government, to the extent provided by this act. Any such transfer shall be made in accordance with the provisions of this act and standards and guidelines established pursuant thereto. Real property held

for the purposes specified by Article XCVII of the amendments to the constitution of the Commonwealth shall not be used for other purposes or otherwise disposed of except by a two-thirds vote of the general court.

SECTION 12. Chapter seven is hereby further amended by adding after section 40D the following sections:

Section 40E. The deputy commissioner of capital planning and operations shall exercise the powers stated in this act, notwithstanding the delegations which the general court has made pertaining to the acquisition, control, and disposition of real property, including section 28 of chapter 15; section 19 of chapter 16; sections 1, 14B and 27 of chapter 19; section 7 of chapter 19A; sections 14 through 16 of chapter 20; sections 9A, 13, 17A, 17B, and 30 of chapter 21; sections 2 and 9 of chapter 21A; sections 8 and 26 of chapter 23A; section 7 of chapter 23B; section 3 of chapter 28A; section 41 of chapter 29; sections 4 and 5 of chapter 29A; sections 11, 12, 25, 26, and 27 of chapter 75; sections 8, 9, 18, 19, and 22 of chapter 75A; sections 8, 13, and 14 of chapter 75B; sections 7, 7A, 7C, 7D, 7E, 7G, 7H, 7L, 7M, 11, 13A, and 13B of chapter 81; section 7 of chapter 82; section 4 of chapter 83; section 39B of chapter 90; sections 2, 3, 5, and 6 of chapter 91; sections 9A, 13, 33, 34, 77 through 85, 87, and 88 of chapter 92; sections 62R, 83, and 86 of chapter 111; section 5 of chapter 111B; section 8 of chapter 115A; sections 1 and 2 of chapter 120; section 5 of chapter 122; sections 39 and 43 of chapter 123; section 10 of chapter 124; section 2 of chapter 147; sections 31 and 32 of chapter 184; provided, however, that the deputy commissioner shall acquire, control and dispose of real property in accordance with the terms and purposes of the aforementioned provisions. The deputy commissioner shall not make any acquisition of real property on behalf of a state agency by eminent domain or make any such delegation of power to acquire real property by eminent domain to any state agency unless such state agency is otherwise authorized by law to exercise the power of eminent domain. The deputy commissioner may delegate to state agencies responsibility for the acquisition, control, and disposition of real property as provided for in this chapter. When such responsibility is delegated to a state agency, the written approval of the deputy commissioner shall be required before the transaction is finalized.

For the purposes of this section and sections forty F through forty L inclusive, counties shall not be included in the definition of state agency.

For the purposes of sections forty F through forty L inclusive, the term "emergency" shall mean any situation caused by unforeseen circumstances which render currently used real property

unusable or unavailable for the purposes intended and which creates an immediate need for other real property to preserve the health or safety of persons or property.

Section 40F. The deputy commissioner of capital planning and operations shall be responsible for the acquisition, control and disposition of real property in the manner and to the extent provided in this chapter. The deputy commissioner may delegate such responsibility to an administrator, who has ten years of experience in the management of commercial, industrial, institutional or public real property. When responsibility is delegated to an administrator the written approval of the deputy commissioner shall be required before such transaction is finalized.

The deputy commissioner shall acquire real property by gift, purchase, devise, grant, eminent domain, rental, rental-purchase or otherwise on behalf of state agencies.

In acquiring buildings for the use of state agencies, first consideration shall be given to any structures that have been certified as historic landmarks as provided by sections twenty-six through twenty-seven C inclusive of chapter nine, that have been listed in the National Register of Historic Places as provided by 16 U.S.C. section 470a (1974) or that have been designated historic landmarks by local historic commissions, unless use of such buildings would not be feasible in terms of costs and requirements when compared with other available properties.

Notwithstanding any laws to the contrary, real property acquired for the use of state agencies shall be held in the name of the commonwealth.

The deputy commissioner shall assist in the preparation and shall approve of plans for the organization of all space within and around buildings and appurtenant structures used by state agencies, and shall assign the use of space within and around the state house, in accordance with the provisions of sections eight, sixteen A and seventeen of chapter eight; the John W. McCormack State Office Building; the Leverett Saltonstall State Office Building; the Springfield Office Building; the Pittsfield Office Building; the Erich Lindemann Building; the Charles F. Hurley Building; any real property acquired for the use of state agencies, the greater part of which is not needed by any one state agency; and any other real property assigned by law to the division of capital planning and operations.

The deputy commissioner, with the written approval of the commissioner of administration, may transfer use of, and responsibility for maintenance of, buildings, including equipment therein, within or between state agencies. No such transfer within or between state agencies which involves either a change in the purposes for which such building is currently used or a change in

use in excess of fifty per cent of the usable floor space, shall be made without the prior approval of the general court. Any such transfer shall be based on a determination, made by the deputy commissioner with the advice of the executive heads of affected agencies and secretaries of the executive offices in which such agencies are located, that such property is not needed, is underutilized, or is not being put to optimum use under current conditions. The deputy commissioner shall notify the house and senate committees on ways and means thirty days prior to the final authorization of any transfer which does not require the approval of the general court, and such transfer shall only be made when the general court is in session except as provided hereafter. Such transfer may be made when the general court is not in session, and the thirty day notification requirement may be waived, only if the deputy commissioner certifies in writing that an emergency exists; provided that, any such transfer may be authorized for a period not to exceed six months, and provided further, that the deputy commissioner shall submit his/her certification to and notify the house and senate ways and means committees of such transfer at the earliest possible opportunity.

The deputy commissioner may, after notification to and with the advice of the executive heads of state agencies and secretaries of the executive offices, determine that real property is not needed for the use of any state agency. After such determination, and with the written approval of the commissioner s/he may enter into agreements for the use of such available real property, by public agencies other than state agencies or the federal government for a term not to exceed five years. The deputy commissioner after such determination, and with the written approval of the commissioner, may recommend to the general court for its approval, any such agreement for the use of real property for a term exceeding five years or any extension of any agreement for such use beyond a cumulative period of five years; or the transfer of control of or title to such real property to a public agency other than a state agency or to the federal government. The commonwealth shall be reimbursed for at least the cost of maintaining real property under such agreement. The deputy commissioner shall notify the house and senate committees on ways and means thirty days prior to the final authorization of any such agreement. In no event shall any such agreement be made when the general court is not in session.

The deputy commissioner, with the approval of the commissioner, may recommend to the general court for its approval, the sale, rental or other disposition of real property determined to be available, to an individual or entity. Fair market rates shall

be charged by the commonwealth in the rental or sale of real property acquired on behalf of state agencies to an individual or entity.

The deputy commissioner shall expeditiously review and recommend approval or disapproval of any proposal to the general court for the sale, rental or other disposition of real property acquired on behalf of state agencies, and shall dispose of real property as mandated by the general court.

Section 40G. The deputy commissioner of capital planning and operations shall suggest to the budget director, as part of his/her recommendation for the annual appropriation for space rentals provided for by section three of chapter twenty-nine, the maximum rate to be paid for the rental of space by type and geographical area and the maximum percentage to be paid for the escalation of all such rental costs. The budget director shall consider the suggestions of the deputy commissioner in recommending the approval of such costs by the general court, as part of the annual appropriations act.

The deputy commissioner may rent, for the use of state agencies, through lease, tenancy-at-will or other rental agreement for a term not exceeding five years, premises outside of the state house or other buildings owned by the commonwealth, provided that the budget director has certified that provision for payment of rent for so much of the term of the agreement as falls within the then current fiscal year has been made by appropriation. If the term of the rental agreement under which premises are being used for the purposes of a particular activity by any state agency expires between the beginning of a fiscal year and the effective date of an appropriation act for such fiscal year and no appropriation for rent for said premises has been made and if the general court has not provided otherwise, the deputy commissioner may rent for such purposes the same or different premises, for a term not exceeding five years, obligating the commonwealth to pay no greater amount of rent for any period than was paid for a corresponding period under the expiring agreement.

Whenever any such lease, tenancy-at-will or other rental agreement contains a renewal clause or an option to renew, any renewal thereof shall not be exercised earlier than six months prior to the expiration of such agreement.

No charges for rentals provided for in this section shall exceed the maximum rate plus escalation cost approved by the general court. Further, the deputy commissioner shall notify the house and senate committees on ways and means thirty days prior to the final authorization of any such rental agreement and such agreement shall only be made when the general court is in

session, except as provided hereafter. Such agreement may be made when the general court is not in session, and the thirty day notification requirement may be waived, only if the deputy commissioner certifies in writing that an emergency exists; provided that, any such agreement shall be authorized for a period not to exceed six months, and provided further, that the deputy commissioner shall submit his/her certification to and notify the house and senate ways and means committees of such agreement at the earliest possible opportunity.

Notwithstanding the time limitation of this section or of any other law, the deputy commissioner may enter into rental-purchase agreements for the purchase or construction of premises to be occupied by the division of employment security outside of the state house or other buildings owned by the commonwealth, provided, that the costs incident to such rental-purchase agreements, including amortization, shall be borne by the federal government. After expiration of the period of amortization in each such instance, the commonwealth shall not charge the division of employment security with rent of such premises, provided the federal government shall bear the cost of service to and maintenance of such premises.

Section 40H. At least thirty days before accepting a proposal for the purchase or rental of real property for the use of state agencies from an individual or entity, or for the sale or rental of real property used by state agencies to a private individual or entity, the deputy commissioner of capital planning and operations shall advertise in the central register published by the state secretary pursuant to section twenty of chapter nine stating therein the need for or availability of such property, and inviting submission of such proposals. Such thirty day advertisement requirement may be shortened or waived only if the deputy commissioner certifies in writing that an emergency exists; provided that every reasonable effort shall be made to seek competitive proposals. The advertisement shall specify the geographical area, terms and requirements of the proposed transaction, and shall state the time and place for the submission of such proposals and for the opening thereof. In case of the rental or sale of over 2500 square feet of real property, such advertisement shall also be place at least once each week for four consecutive weeks in newspaper(s) with a circulation sufficient to inform the people of the affected locality. The last publication shall occur at least eight days preceding the day for opening proposals.

Compliance with the foregoing provisions, pertaining to advertising, shall be a condition precedent to the validity of any deed or rental agreement executed by or on behalf of the commonwealth.

The deputy commissioner shall also place notification in the central register of the individual or firm selected as party to any such real property transaction, and the amount of such transaction.

After the execution of a rental or sale agreement completing such transaction, all proposals relating thereto shall be retained by the deputy commissioner and shall be open to inspection by the public until the expiration of such agreement or six months from the date thereof, whichever occurs first, and may thereafter be destroyed by him/her.

Section 40I. At least sixty days prior to any purchase, rental, sale, or significant change in use of two acres or more of real property by the commonwealth on behalf of state agencies the deputy commissioner of capital planning and operations shall notify, in writing, the city council in the case of a city or the board of selectmen in the case of a town, and the regional planning agency of the region in which the real property is located, of such action. Such sixty day notification requirement may be shortened or waived only if the deputy commissioner certifies in writing that an emergency exists; provided that the deputy commissioner shall submit his/her certification to and notify the appropriate local officials of any such transaction at the first possible opportunity. The notice shall include a statement of the present use, the reason for the proposed action, and the proposed use of the property. The deputy commissioner shall, at least thirty days prior to such sale, purchase or change in use of real property in excess of two acres, cause a public hearing, after giving timely public notice, to be held in the city or town where such real property is located for the purpose of disclosing the conditions or reasons for the proposed action.

Section 40J. No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the deputy commissioner of capital planning and operation. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation.

A disclosure statement shall also be made in writing, under

penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital planning and operations disclosing beneficial interest in real property pursuant to this section, shall identify his/her position as part of the disclosure statement. The deputy commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The deputy commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

Section 40K. The deputy commissioner of capital planning and operations shall establish and maintain a comprehensive inventory of the real property owned, rented or otherwise occupied by public agencies. Such inventory shall include a detailed description of the allocation, utilization and condition of real property used by state agencies and a general description of the size, type and use of real property under the jurisdiction of other public agencies. The real property inventory shall be published annually for distribution to state agencies and regional planning agencies, shall be filed with the clerk of the House and the Senate and shall be a public document available for general distribution.

The division of capital planning and operations shall be the central depository for all certificates of title, copies of deeds, records of sale, rental agreements and other pertinent records relating to real property acquired for the use of state agencies. All such documents shall be public records and shall be open to inspection by the public during regular business hours.

The deputy commissioner may delegate responsibility for the housing and care of such original records to a state agency if such records are necessary for the daily operation of said agency. A state agency requesting the delegation of such responsibility shall demonstrate to the deputy commissioner that such records will be adequately maintained and housed. In case of such delegation, copies of essential records shall be deposited with the division.

All public agencies shall cooperate with the division in providing the information required by this section.

Section 40L. The deputy commissioner of capital planning and operations shall establish standards and guidelines for the acquisition, utilization and disposition of real property, which shall be applicable to state agencies and which shall be recommended

to counties and building authorities and which shall be filed with the clerk of the house and the clerk of the senate. The deputy commissioner shall review standards promulgated by the department of community affairs for the acquisition, utilization and disposition of real property and shall recommend approval or disapproval of such standards to the secretary of communities and development. The deputy commissioner may, at his/her discretion, delegate responsibility for the establishment of standards for the acquisition, utilization and disposition of real property, subject to his/her approval, to state agencies with special needs and a proven capability to promulgate such standards.

In establishing such standards the deputy commissioner shall include ones concerning, but not limited to, the following:

a) a determination of the amount and type of real property needed to accommodate functions performed by agencies of the commonwealth;

b) a standard format for rental agreements and rental specifications;

c) current fair market rentals by geographical area;

Section 40M. In order to assist himself/herself in the performance of his/her functions the deputy commissioner of capital planning and operations shall establish an advisory council on capital planning and operations which shall meet at such times as the deputy commissioner shall set, but no less often than once every three months, to seek information, advice, and counsel as to the recommendation, establishment, and evaluation of priorities and schedules for the acquisition, planning, design, construction, demolition, installation, repair and maintenance of capital facilities. Such of the executive officers of public agencies directly responsible for the acquisition, planning, design, construction, demolition, installation, repair and maintenance of capital facilities or their designees as the deputy commissioner may request shall attend those meetings.

Section 41A. There shall be located within the division of capital planning and operations an office of programming headed by a director of programming. Said director shall be appointed by the deputy commissioner of capital planning and operations, with the prior written approval of the commissioner of administration, and may be removed in like manner. The position of director shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

No person shall be appointed director of the office of programming unless s/he has extensive experience in the study and programming of buildings.

The deputy commissioner of capital planning and operations shall be responsible for the exercise of all powers and the per-

formance of all duties assigned by law to the office of programming, which shall be under his/her direction, control, and supervision.

Section 41B. Except as otherwise provided in this section or by any appropriation act, the director of programming shall, in the manner and to the extent provided by this section, have control and supervision over the study and programming of all capital facility projects within the jurisdiction of the division of capital planning and operations, as defined by section forty A.

The director may appoint such deputies and other supervisory staff as the work of the office may require, subject to appropriation and the deputy commissioner's approval. Such staff shall serve at the pleasure of the director and shall not be subject to chapter thirty-one or to section 9A of chapter thirty. The director shall appoint, subject to the deputy commissioner's approval, all other officers and employees of said office, including such programmers, architects, engineers, landscape surveyors, cost estimators, as s/he deems necessary to carry out the tasks assigned to the bureau.

The director shall:

(1) recommend to the deputy commissioner rules and regulations, standards and guidelines for the preparation of master and other plans, studies, and programs for capital facility projects;

(2) review and make a written evaluation to the deputy commissioner as to specific project studies, programs and other predesign documents and their consistency with long range capital facilities development plans and capital facility budget requests;

(3) upon request by using agencies, assist them in the development of specific project descriptions and proposals forming a part of those agencies' long range capital development plans and specific capital facility budget requests;

(4) upon request of using agencies, and at his/her discretion, develop master and other plans, perform feasibility and other studies, or prepare programs for projects for which such plans, studies, and programs are authorized by the general court to be performed;

(5) upon request by using agencies assist the staff of using agencies, and at his/her discretion assist other providing such services to using agencies in their performance of plans, studies, or programs to assure conformity with the rules and regulations, standards and guidelines for such plans, studies, and programs.

(6) provide guidance and assistance to other bureaus and sections or units within the division in the performance of their

responsibilities as they relate to completed planning stages for projects;

(7) recommend to the deputy commissioner rules and regulations, standards for the conduct of post-occupancy evaluations of all projects for which the division of capital planning and operations has performed or caused to be performed programming services, such post-occupancy evaluation to be based on the program so developed and appropriate in scope and detail to the type, cost and significance of the project being evaluated; and

(8) assist the deputy commissioner in the evaluation of projects to determine the effectiveness of prior programming, planning, and budgeting decisions;

(9) conduct, with staff or consultants, post-occupancy evaluations for projects under the jurisdiction of the bureau of project management, the cost of which exceeds a fixed sum to be determined by the director, assume such other responsibilities as the deputy commissioner may direct.

The director shall create a depository for plans, studies, programs, and designs for building projects prepared for any using agency subject to the jurisdiction of the division of capital operations under section forty A of this chapter. Each such agency shall promptly send to the director a brief indentification and description of each plan, study, program, and design after its completion. The designer selection board shall promptly send to the director a brief identification and description of any designs offered to it as part of any design completion administered by the board pursuant to section thirty G. Upon request by the director, the user agency or board shall send to him/her a copy of said plan, study, program, or design.

Section 42A. There shall be within the division of capital planning and operations a office of project management headed by a director of project management.

The director shall be appointed by the deputy commissioner of capital planning and operations with the approval of the commissioner of administration, and may be removed in like manner. Said position shall not be subject to section nine A of chapter thirty or chapter thirty-one. No person shall be appointed director of said bureau unless at the time thereof s/he shall be registered by the commonwealth as an architect or professional engineer pursuant to the provisions of chapter one hundred and twelve and shall have proven ability and extensive experience in the management of the design and construction of buildings.

The director may appoint such deputies and other supervisory staff as the work of the office may require, subject to appropriation and the deputy commissioner's approval. Such staff shall serve at the pleasure of the director and shall not be subject to

chapter thirty-one or to section nine A of chapter thirty. The director shall appoint, subject to appropriation and subject to the deputy commissioner's approval, all other officers and employees of said office.

The deputy commissioner shall be responsible for the exercise of all powers and the performance of all duties assigned by law to said office, which shall be under his/her direction. The director shall advise the deputy commissioner as to rules and regulations, standards and guidelines, and priorities and schedules to be established for the office and the division of capital planning and operations.

Section 42B. The duties and responsibilities of the director shall include, but not be limited to, the following: review and comment on all long range capital facilities development plans and capital budget requests for building projects by any state agency or building authority for purpose of assisting in the development of schedules, cost estimates and projections; review of said plans and requests for technical feasibility; where appropriate, recommendation that a study or program be conducted; and recommendation to the deputy commissioner of methods which might be used for the design and construction of new facilities or major additions to existing facilities.

The methods recommended shall include the latest developments in construction as well as standard methods, for the purpose of insuring quality, timeliness and economy of construction, such techniques to include but not be limited to construction management, fast-tracked or phased construction, turnkey procurement and design and build procurement. The director shall also recommend to the deputy commissioner the method for procuring design and construction services when an alternative construction method is recommended; such recommendation shall be in writing and contain the reasons for not complying with the standard selection and bidding laws provided that the legislature shall approve the method for procuring design and/or construction services for such project and provided that such procurement method shall comply with the policies and procedures of sections thirty B through thirty P, inclusive, of chapter seven and sections forty-four A through L, inclusive, of chapter one hundred and forty-nine, to the extent feasible.

The director shall develop guidelines regarding the types of projects that would most benefit from use of alternative construction methods and shall periodically evaluate their effectiveness.

The director, if otherwise permitted by statute or appropriation, may use a phased contracting procedure, provided that the contracts awarded can be accomplished (a) within the appropriation or authorization for the project or within the project cost

limits specified by the appropriation or authorization and (b) in accordance with (i) any study or program which must be prepared in accordance with the provisions of section 7K of this chapter or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith.

If the director considers it in the best interests of the commonwealth s/he may employ, in addition to the standard architectural and professional contractors, quantity surveyors, network scheduling consultants and cost estimators.

The director shall recommend to the deputy commissioner standards for conducting studies, programs, and designs; for real property acquisition in anticipation of construction, including the kind and extent of testing required; for contractor selection; and for project evaluation. S/he may recommend to the deputy commissioner such additional standards and guidelines as s/he shall deem necessary or desirable to expedite the work of the office.

The director shall hire such project managers, cost estimators, and architectural, engineering, and technical personnel as s/he deems appropriate to: (a) estimate and review project costs and schedules; (b) monitor design and construction standards; (c) perform design services; (d) review project designs to ensure that they meet the standards established for all projects; (e) provide technical assistance to using agencies; and (f) administer and supervise design and construction contracts.

The director shall recommend to the deputy commissioner standards and procedures to be followed by project managers in overseeing individual construction projects, including standards and procedures for scheduling of the performance of particular aspects of projects; forms to be used in reporting and processing of information regarding change orders and price adjustments, periodic payment, and other payments pursuant to approved progress schedules; and all other standards and procedures necessary to the efficient administration and oversight of individual construction projects, or required by statute or regulation.

The director shall recommend to the deputy commissioner standards for internal audits to be performed on individual projects. Such audits shall be performed at the direction of the director when s/he has determined than an individual change order is so large, or a series of change orders cumulatively are so substantial, that the project should be reviewed, or when s/he has determined that there have been significant individual or cumulative delays in progress on the project, or at such times as s/he deems necessary. Whenever a change order is approved

the director shall state in writing the reasons for not requesting an audit.

Section 42C. The contract which the director shall make with the designer appointed under sections thirty B to thirty P shall provide, among other appropriate terms, that the designer shall, in consultation with the using agency and subject to that agency's approval, prepare plans and specifications for the building project for submission to said director for his/her approval and shall use standard contract documents and specifications which said director shall have prepared with the approval of the deputy commissioner and made available within the office.

No obligation shall be incurred or payment made for preparation of any plans or specifications for any building project without the prior approval of the deputy commissioner; and in the case of a building project undertaken on behalf of the commonwealth, no plans or specifications shall be prepared until a special appropriation shall have been made therefor or for the project or until federal funds or assistance shall have been made available therefor. No other obligation shall be incurred or payment made in connection with any building project until such obligation or payment shall have been approved in accordance with sections thirty-nine A to forty-three F, inclusive, of chapter seven, and sections twenty-six A and twenty-six B of chapter twenty-nine, and section eleven of chapter thirty-five.

Schematic, preliminary and working plans and specifications for each building project shall, following initial submission to the using agency for comment, be submitted by the designer to the director for his/her approval. In reviewing such plans and specifications, the duty of the director shall be to see that they are clear and complete and permit execution of the building project (a) within the appropriation or authorization for the project or within project cost limits specified by the appropriation or authorization and (b) in accordance with (i) any study or program prepared in accordance with the provisions of section 7K of this chapter or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. When a phased construction technique is approved by the legislature, the director shall approve working plans and specifications at appropriate stages of the project.

Following final approval of such plans and specifications, the director shall advertise in the central register published by the secretary of state pursuant to section twenty of chapter nine and in such other publications as the deputy commissioner shall direct, for applications to bid on or proposals for the performance of the work on the project; except that the deputy com-

missioner may direct that the purchase of any materials, original equipment or original furnishings for the project shall be made under the provisions of sections twenty-two to twenty-six, inclusive. Subject to the prior approval of the deputy commissioner and the applicable provisions of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine, s/he shall award the contract or contracts for such work to the lowest responsible and eligible bidder; but no such contract on behalf of the commonwealth shall be awarded by him/her for a sum in excess of the amount which the comptroller shall certify to be available therefor. If the director shall knowingly award a contract in violation of any provision of this section, s/he may be removed from office by the governor; provided, however, that each contract shall provide that not less than one per cent of the cost of a construction project be expended for art; provided, further, that not more than one hundred thousand dollars be expended.

The director shall be responsible for accepting or rejecting each project upon its completion and for directing final payment for work done thereon; provided, however, that if upon inspection of any project for acceptance s/he shall find that the plans, specifications, contracts or change orders for the project shall not have been fully complied with or that the using agency shall object to his/her acceptance of the project, s/he shall, until such compliance has been effected, such objection has been removed or adjustment satisfactory to him/her has been made, refuse to accept the project and direct such payment.

Upon acceptance of the project, the director shall release the same to the using agency.

Section 42D. The director shall appoint, for each project under the jurisdiction of the office of project management, a project manager, who shall oversee all planning, design and construction of the project or provide appropriate assistance to others as enumerated below. No person shall be appointed or employed as a project manager unless at the time thereof s/he shall be registered by the commonwealth as an architect or professional engineer under the provisions of chapter one hundred and twelve or shall have a professional degree in a field providing equivalent experience and shall have at least five years experience in the construction and supervision of construction of buildings. Project managers employed by the bureau shall be exempt from the provisions of section nine A of chapter thirty and chapter thirty-one.

The terms, conditions and duration of their employment shall be established by the director subject to appropriation and the building projects to which s/he has been assigned by the di-

rector. S/he shall:

(1) Assist and make recommendations to using agencies as to real property acquisition in anticipation of construction;

(2) Assist by reviewing and making recommendations to using agencies as to the study, programs or other planning documents for the project;

(3) Participate as a non-voting member of the designer selection board panel as provided by section thirty C of chapter seven during the designer selection process for the particular building project to which the project manager has been assigned;

(4) Represent the using agency in the designer selection, design and construction phases of the building project, the project manager having exclusive authority to make decisions in these areas, except as provided in sections forty-two E through forty-two I, inclusive, after consultation with the using agency and consideration, before such decisions are made, of using agency recommendations;

(5) During the design stage of each project to which s/he has been assigned, review and comment on said design or verify that said design has been reviewed by the authorities charged by law with enforcement responsibility, in order to insure that the design complies with all federal and state laws, rules, regulations and codes; insure to the extent feasible that the design is such as to specify a project that (a) can be accomplished within the appropriation or authorization for that project or within the project cost limits specified by the appropriation or authorization, and (b) can be accomplished in accordance with (i) any study or program which must be prepared in accordance with the provisions of section 7K of this chapter or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith; no building project shall be allowed to proceed to the construction stage until such reviews have been accomplished and compliance confirmed or certified;

(6) Insure the preparation of time schedules which shall serve as control standards for monitoring performance of building projects; and

(7) Assist in project evaluation including, but not limited to, written evaluations of the performance of the architect, engineers, contractors and other personnel, and evaluation of construction techniques and procurement mechanisms.

Section 42E. The words defined in this section shall have the meanings set forth below whenever they appear in section 42E through 42I inclusive.

"Change order" shall mean a written order not requiring the consent of the contractor, signed by the project manager and

designated as an approved change order, directing the contractor to make changes in the work within the general scope of the contract, or, any written or oral order from the project manager which causes any change in the work, provided that the contractor gives the commonwealth written notice stating the date, circumstances, and source of the order and that the contractor regards the order as a change order.

"Contract modification" shall mean any written alteration in plans or specifications, period of performance, price, quantity, or any other provision of the contract accomplished by mutual action of the parties to the contract.

The project manager may at any time, subject to the requirements set forth herein and in section thirty-nine I of chapter thirty, order changes in the work within the general scope of the contract, including but not limited to changes: (a) in the plans and specifications (including drawings and designs); (b) in the method or manner of performance of the work; (c) in the commonwealth furnished facilities, equipment, materials, services or site; or (d) in the schedule for performance of the work. All such orders shall be written and designated to be change orders. All change orders or other contract modifications shall require the approval of the director when: (a) the cumulative cost of all previously approved increases in the contract price exceeds five per cent of the original contracted construction cost of the project, or such other percentage or dollar amount or criteria as designated by regulations of the deputy commissioner; or (b) the preliminary estimate of the change in the contract price resulting from the change order or contract modification is $5,000 or more. The director may, after review of building projects for which the cumulative total of increases in the contract price has exceeded five per cent of the original contracted construction cost or such other percentage or dollar amount or criteria, direct the project manager as to those proposed changes, the preliminary estimated cost of which are under $5,000, that shall require the director's approval.

The deputy commissioner shall promulgate regulations governing the procedures for obtaining preliminary estimates and giving notice to the contractor as to the necessity of obtaining the director's approval before any work pursuant to a change order or contract modification is commenced. Such procedures shall be designed so as to avoid delays in the progress of the project.

The project manager may delegate to the resident engineer, subject to approval by the director and notice to parties in interest, his authority to process and approve change orders when authorized to do so by regulations of the deputy commissioner.

The provisions of section twenty A of chapter twenty-nine shall not apply to any change order request submitted and acted upon in accordance with sections forty-two E through forty-two I, inclusive, of this chapter.

Section 42F. Any request for a change order shall be processed promptly, in compliance with regulations promulgated by the deputy commissioner, and otherwise according to the requirements of section thirty-nine P of chapter thirty. Requests shall be submitted to the project manager, who shall, after consultation with the designer and the using agency, approve or disapprove the request. The project manager shall, after obtaining any other required approvals or disapprovals, notify in writing the designer, the using agency and the requesting party of the request and shall issue a written change order or written notice of disapproval to the contractor. If the approval or disapproval would result in a deviation, as defined by regulations of the deputy commissioner from (a) any study or program which must be prepared in accordance with the provisions of section seven K of this chapter or (b) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith, the decision made shall be subject to appeal by the using agency to the commissioner of administration. Such appeal shall set forth in writing the reasons therefor and a copy thereof shall be furnished to the deputy commissioner at the time the appeal is filed with the commissioner. The commissioner shall, within ten days following the receipt of such appeal, render a written decision thereon, which shall be final and conclusive.

Section 42G. If any change order under section 42E causes any change in the contractor's cost of performance of any work under the contract, whether or not that work is changed by any order, either the contractor or the project manager may request an equitable adjustment in the contract price. A request for such an adjustment shall be in writing and shall be submitted by the party making such claim to the other party before commencement of the pertinent work or as soon thereafter as possible, and in any event within thirty days of receipt by the contractor of an approved change order or the mailing or furnishing to the commonwealth by the contractor of written notice that the contractor regards an order as a change order. Except for claims on defective specifications, no claim for any change under this section shall be allowed for any costs incurred more than twenty days before the contractor gives written notice as required by this section. In the case of defective specifications for which the commonwealth is responsible, the equitable adjustment shall include any cost reasonably incurred by the contractor in at-

tempting to comply with such defective specifications.

The project manager and the contractor shall by negotiation agree upon an equitable adjustment in the contract price before commencement of the pertinent work or as soon thereafter as possible. Notice of the adjustment shall be given to the Director. In the absence of agreement by the parties on an equitable adjustment in the contract price, the project manager shall unilaterally determine the costs attributable to the change order. Unilateral equitable adjustments of the project manager shall be reduced to writing and a copy mailed or otherwise furnished to the contractor. Such adjustments shall be final and conclusive unless, within thirty days from the date of receipt of such copy, the contractor mails or otherwise furnishes to the project manager a written appeal addressed to the deputy commissioner, and otherwise complies with the requirements set forth in section thirty-nine Q of chapter thirty. The provisions of said section shall govern further appeal to the division of hearing officers.

Section 42H. The contractor shall submit, in accordance with regulations of the deputy commissioner, cost and pricing data to be used when negotiating adjustments for change orders or other contract modifications. Such cost and pricing data shall be based on generally accepted accounting principles and be in conformity with the guidelines promulgated by the deputy commissioner. Cost estimators employed within the division of capital planning and operations shall review and evaluate cost and pricing data submitted by the contractor.

The contractor shall certify that, to the best of his/her knowledge and belief, the cost and pricing data submitted was accurate, complete, and current as of the date of submission. Any change order or contract modification under which a certificate is required shall contain a provision that the price to the Commonwealth, including profit or fee, shall be adjusted to exclude any significant sums by which the commonwealth finds that such price was increased because the contractor-furnished cost or pricing data was inaccurate, incomplete, or not current as of the date of submission.

The provisions of section thriteen of chapter two hundred and fifty-eight of the General Laws, and the provisions of section sixty-seven A to section sixty-seven C, inclusive, of chapter two hundred and sixty-six, shall fully apply to the cost and pricing data certification requirements of this section.

Section 42I. Equitable adjustments in the contract price negotiated pursuant to section 42G or as part of a contract modification shall be made in accordance with the following general principles. The deputy commissioner shall promulgate regulations designed to implement the provisions of this section.

1. Adjustments in the contract price shall be made to the maximum extent feasible on a fixed price basis prior to the execution of the change order or contract modification, if this can be done without adversely affecting the interests of the Commonwealth.

2. Where a fixed price cannot be set due to difficulty in estimating the scope of the change ordered, adjustment may be made on a lump-sum guaranteed maximum price basis calculated by use of unit prices specified in the contract or agreed upon by the parties.

3. Cost reimbursement or time-and-materials methods of price adjustment shall not be used, except where, in the written opinion of the deputy commissioner, no other pricing method is possible. When such pricing method is used, the contractor shall provide complete and accurate information disclosing the costs incurred in performing changes. The contractor shall maintain separate accounts, by job order or other suitable accounting procedure, of all segregable direct cost of work, both changed and not changed, allocable to the change. The deputy commissioner shall promulgate regulations setting forth cost principles which shall be used to determine the allowability of incurred costs for the purpose of reimbursing costs.

Section 42J. There shall be assigned to every building project under the supervision of the office a resident engineer. Resident engineers may be hired as permanent employees subject to the provisions of chapter thirty-one or as consultants exempt from said chapter thirty-one. No person shall be employed as a resident engineer unless at the time thereof s/he shall have had at least ten years experience in the construction and supervision of construction of buildings, or shall have a degree in engineering, architecture or a field providing equivalent expertise and at least five years such experience.

The resident engineer shall represent the commonwealth daily on the site of construction projects and shall be responsible for checking, inspecting and reporting to the project manager on a regular basis both in writing and orally as to events at the construction site and shall send copies of written reports to the designer on a regular basis.

The project manager may delegate to the resident engineer, subject to approval by the director, notice in writing to all parties in interest, and limits otherwise imposed by this chapter, the authority to make decisions regarding plans, specifications, and materials; the authority to represent the project manager at job meetings; and the authority to order minor changes and make equitable adjustments in the contract price.

The resident engineer shall report in writing to the project

manager all problems, disputes, complaints or questions from or concerning designers, contractors or other personnel involved in the project.

There shall be assigned to every project under the control and supervision of the office a cost estimator, who shall be responsible for reviewing all project costs. Cost estimators may be hired as permanent employees subject to the provisions of chapter thirty-one or as consultants exempt from said chapter thirty-one.

Cost estimators shall have proven ability and experience in construction cost estimating and shall be familiar with various approaches to cost estimating, including but not limited to conceptual and preliminary estimating designed to provide budget and planning guidance in the early stages of a project, labor-cost estimating, fair cost estimating prepared from completed plans and specifications, contractors' bid estimating and definitive or detailed estimating.

The cost estimator, working in cooperation with using agencies requesting projects, shall provide estimates of the costs of proposed projects. S/he shall review all cost projections for studies, programs and designs, as well as contractors' cost estimates. The cost estimator shall review change order estimates, cost and pricing data, payment schedules and progress payment requests, and make recommendations to the project manager at the project manager's directive.

Public agencies other than political subdivisions of the commonwealth that conduct building projects outside the jurisdiction of the division of capital planning and operations as provided in section forty A of chapter seven may request assignment of a project manager, resident engineer or cost estimator employed by the office of project management. Such assignment shall be subject to approval by the deputy commissioner. Any agency making use of the office's staff on a project outside the normal jurisdiction of the office shall reimburse the office for all expenses incurred, including salaries and overhead. The director shall recommend to the deputy commissioner regulations governing fees to be paid by public agencies for use of the office's services on projects outside its normal jurisdiction.

Section 42K. The director may, with the approval of the deputy commissioner and the governor, accept on behalf of the commonwealth any federal funds or assistance for financing the cost of plans and specifications for any project.

If such funds or assistance shall be appropriated for aiding construction of any project, the director may, with like approval, apply for the same and may, with the approval of the governor, accept the same on behalf of the commonwealth. Any

project so aided shall be executed in all respects subject to applicable federal laws and rules and regulations and also to the applicable provisions of this chapter not inconsistent therewith.

SECTION 13A. It is further provided that no person who has served as a member of the special commission concerning state and county buildings, with the exception of the attorney general, nor any person who has served in the employ of said commission, on either a paid or volunteer basis, shall be eligible for appointment to any positions created as a result of the passage of this act.

SECTION 14. The deputy commissioner of capital planning and operations and the commissioner of public works shall conduct a study to explore the feasibility of assigning to the department of public works responsibility for performing testing of soils and construction materials and all other required testing for projects controlled and supervised by the division of capital planning and operations, and shall develop procedures for implementing such plan, if it is determined to be feasible.

SECTION 15. Chapter seven is hereby further amended by inserting after section forty-two K the following sections:-

Section 43A. There shall be located within the division of capital planning and operations an office of facilities management, headed by a director of facilities management. The director shall be appointed by the deputy commissioner, with the approval of the commissioner of administration, and may be removed in like manner. Said office shall not be subject to section nine A of chapter thirty or chapter thirty-one. No person shall be appointed director of said office unless at the time thereof s/he shall be registered by the commonwealth as an architect or professional engineer pursuant to the provisions of chapter one hundred and twelve and shall have proven ability and extensive experience in the management and oversight of operation, maintenance and repair of buildings.

The director may appoint such deputies and other supervisory staff as the work of the office may require, subject to appropriation and the deputy commissioner's approval. Such staff shall serve at the pleasure of the director and shall not be subject to chapter thirty-one or to section nine A of chapter thirty. The director shall appoint, subject to the deputy commissioner's approval, all other officers and employees of said office.

The director shall develop, in cooperation with the deputy commissioner and using agencies, an inventory of buildings owned or otherwise occupied by state agencies and building authorities. Said inventory may detail the age, condition, type of construction, and physical life expectancy of each building and its major structural components. The inventory shall be

updated as repairs, replacements and alterations are performed. The director shall recommend to the deputy commissioner standards and guidelines governing the type of information to be included in said inventory, which shall be properly coordinated with the real property inventory established and maintained pursuant to section forty J.

Section 43B. The director shall control and supervise all projects allocated to the office of facilities management by the deputy commissioner pursuant to section forty B. All of said projects shall be subject to the procedures and requirements set forth in sections forty-two A through forty-two K, except that the director may recommend to the deputy commissioner regulations governing the extent of representation of the commonwealth by the resident engineer required on the site of construction projects. The director shall, consistent with section forty-two A through forty-two K, develop and recommend to the deputy commissioner procedures and requirements for control and supervision of said projects commensurate with the specialized nature of those projects.

Section 43C. The director shall recommend to the deputy commissioner standards and guidelines applicable to maintenance and repair. Said standards and guidelines shall be complied with by state agencies and building authorities. The director shall also develop maintenance and repair standards and guidelines for use by the department of community affairs. Said standards and guidelines shall be advisory only.

State agencies and building authorities shall certify to the director, once each year, that all maintenance and repair standards and guidelines have been complied with, or if the state agency or building authority has not so complied, the reasons for noncompliance. The director may order, in his/her discretion and without prior notice, inspection of state agency or building authority buildings, for the purpose of insuring compliance with maintenance and repair standards and guidelines. If the director finds that a state agency or building authority is not in compliance, s/he shall report such noncompliance to the deputy commissioner, the head of the state agency or building authority, the commissioner of administration, and in the case of building authorities, the secretary of educational affairs and the board of trustees of the relevant institution. If a state agnecy or building authority fails within three months of such notification to comply with said standards and guidelines, the director shall recommend to the deputy commissioner emergency measures that should be taken.

The director may direct, subject to the approval of the deputy commissioner, once a state agency or building authority is found

to be not in compliance with maintenance and repair standards and guidelines, that the state agency or building authority report in detail to the director on a monthly basis the status, progress and problems of maintenance and repair operations at the state agency or building authority's facilities. The director shall recommend to the deputy commissioner regulations to be adopted governing information to be included in the monthly report. The director shall make quarterly reports to the deputy commissioner on the status of maintenance and repair operations at the relevant state agency or building authority. At such time as the deputy commissioner determines, with the advice of the director, that maintenance and repair operations have come into compliance with all applicable standards and guidelines, the state agency or building authority shall be relieved of the necessity of making monthly detailed reports.

Where it is deemed necessary, the deputy commissioner, on the advice of the director, may recommend that the office assume supervision and control over maintenance and repair operations normally carried out by the state agency or building authority. The commissioner of administration, after consultation with the secretary of the executive office in which the relevant state agency or building authority is located, and, in the case of building authorities, after consultation with the board of trustees of the relevant institution, may order transfer of supervision and control of maintenance and repair operations to the deputy commissioner. Upon making such order, the commissioner shall forthwith file a copy of said order with the budget director, the comptroller, the house and senate committees on ways and means, and the joint legislative committee on post audit and oversight of the general court, specifying the scope of the authority so transferred and the direction of said transfer. Said transfer may be for such period of time as the commissioner deems appropriate. Where the deputy commissioner has so assumed control and supervision, the deputy commissioner shall make quarterly reports to the commissioner of administration on the status of maintenance and repair operations at the affected state agency or building authority.

Section 43D. The director may, with the approval of the deputy commissioner, initiate capital budget requests for building projects to be performed at one or more using agencies and controlled and supervised by the office of facilities management. Such projects may include, but not be limited to: (a) projects designed to alleviate, through a single undertaking or a series of undertakings, problems of a common nature encountered in buildings of more than one using agency; (b) projects to correct problems which require immediate attention, where the using

agency has failed to include the project in its capital budget requests for the year, or has given such a request low priority; and (c) such other projects as the director may, with the approval of the deputy commissioner, designate, including energy conservation projects, handicapped access projects, and fire, health and safety projects.

Section 43E. The director of facilities management shall: (1) develop, in cooperation with individual state agencies and building authorities, policies, standards, programs and schedules governing the performance of preventive maintenance; (2) develop preventive maintenance training programs for state agency and building authority personnel; (3) evaluate the status of preventive maintenance programs at each state agency and building authority; (4) review using agency maintenance operating budget requests together with maintenance reports submitted pursuant to section three of chapter twenty-nine for the purpose of evaluating the priority, necessity, feasibility and appropriateness of said requests; (5) review using agency capital budget requests for repair projects and make recommendations to the deputy commissioner as to those projects of each using agency that should be given funding priority; (6) recommend to the deputy commissioner standards and guidelines for the control and supervision of repair projects controlled and supervised by using agencies; (7) advise the deputy commissioner as to those methods available for the repair of deteriorating buildings, including the costs and benefits of continuing minor repairs versus the costs and benefits of major renovation or rehabilitation; (8) advise the deputy commissioner as to maintenance and repair difficulties encountered in using agency buildings that may be due to faulty design or construction of new facilities; (9) advise the deputy commissioner as to the feasibility and costs of renovating or rehabilitating for state use structures that have been certified historic landmarks, as provided by sections twenty-six to twenty-seven C of chapter nine, that have been listed in the National Register of Historic Places, as provided by 16 U.S.C. 470a, or that have been designated landmarks by the local governing authority; (10) advise the deputy commissioner as to changes in operations and maintenance costs and operational and repair difficulties that may result from using agency proposals for alteration or conversion of existing facilities; and (11) assist using agencies in evaluating maintenance and repair problems and devising and implementing solutions.

Section 43F. The director of facilities management shall make provision, as part of development of an inventory of buildings owned or otherwise occupied by state agencies or building authorities pursuant to section forty-three A, for evaluation of the

energy consumption of each building and its major energy using systems. The director may, with the approval of the deputy commissioner and subject to appropriation or allocation, hire consultants for the purpose of performing energy audits designed to determine the need for energy conservation projects.

The director shall recommend to the deputy commissioner standards and guidelines governing energy conservation maintenance and operating procedures.

The director shall in conjunction with the Secretary of Energy Resources set priorities and energy efficiency standards for all state buildings and conduct energy audits of said buildings. The bureau may contract with professional consulting firms to perform the energy audits. The audits to be performed under this section shall be completed no later than July 1, 1986.

All energy conservation projects within the jurisdiction of the division of capital planning and operations as defined by section forty A, including projects funded out of any lump-sum energy conservation fund or account, shall be fully subject to the provisions of chapter seven except that alternative energy property program projects authorized pursuant to section eleven of chapter twenty-five A shall not be subject to sections forty-one A and forty-one B, sections forty-two A through forty-two K, inclusive, and sections forty-three A through forty-three F, inclusive, of chapter seven.

Section 43G. If any provision or clause of sections thirty-nine A through forty-three F, inclusive, of this chapter, or application thereof is held invalid, such invalidity shall not affect other provisions or applications of the aforesaid sections which can be given effect without the invalid provision or application, and to this end the provisions of the aforesaid sections are declared to be severable.

SECTION 16. Chapter 8 of the General Laws is hereby amended by striking out section 1, as amended by section 1 of chapter 249 of the acts of 1938, and inserting in place thereof the following section:-

Section 1. There shall be within the office of facilities management of the division of capital planning and operations a bureau of state office buildings, headed by a state superintendent of state office buildings. The superintendent of state office buildings shall be appointed by the deputy commissioner of capital planning and operations, with the approval of the commissioner of administration, and may be removed in like manner. S/he shall report to the director of facilities management. Said superintendent shall be a person of ability and experience, and shall devote his/her entire time to the duties of his/her office. Said office shall not be classified under chapter thirty-one.

SECTION 17. Section 4 of chapter 8 of the General Laws, as most recently amended by section 1 of chapter 1004 of the acts of 1971, is hereby amended by striking out, in line 1, the words "he may", and inserting in place thereof the words:- The superintendent of state office buildings may, with the approval of the deputy commissioner of capital planning and operations,

SECTION 18. Section 4A of chapter 8 of the General Laws, inserted by chapter 581 of the acts of 1955, is hereby amended by striking out, in line 1, the words "the state superintendent of buildings", and inserting in place thereof the words:- The superintendent of state office buildings

SECTION 19. Section 4B of chapter 8 of the General Laws, inserted by chapter 581 of the acts of 1955, is hereby amended by striking out, in line 1, the words "The state superintendent of buildings", and inserting in place thereof the words:- The superintendent of state office buildings

SECTION 20. Section 5 of chapter 8 of the General Laws, as most recently amended by section 5 of chapter 591 of the acts of 1946, is hereby further amended by striking out, in line 1, the words:- scrub-women and

SECTION 21. Section 6 of Chapter 8 of the General Laws, as most recently amended by chapter 704 of the acts of 1969, is hereby further amended by striking out, in lines 4 to 6, the words "in any building owned by the commonwealth and located in the immediate vicinity of the state house or located in the government center, so-called", and inserting the words:- in the state house, the John W. McCormack State Office Building, the Leverett Saltonstall State Office Building, the Springfield Office Building, the Pittsfield Office Building, the Erich Lindemann Building, the Charles F. Hurley Building, and any other state properties as are designated by law to be the responsibility of the superintendent of state office buildings.

SECTION 22. Section 9 of chapter 8 of the General Laws, as amended by section 3 of chapter 249 of the acts of 1938, is hereby further amended by striking out, in lines 4 to 6, the words "and its appurtenances and shall have general charge and oversight of any other buildings or parts thereof owned by or leased to the Commonwealth for the use of public officers", and inserting in place thereof the words:- the John W. McCormack State Office Building, the Leverett Saltonstall State Office Building, the Springfield Office Building, the Pittsfield Office Building, the Erich Lindemann Building, the Charles F. Hurley Building, and any other state properties as are designated by law, to be the responsibility of the superintendent of state office buildings

Section 9 is further amended by striking out, in line 11, the words "and its appurtenances".

SECTION 23. Section 10 of chapter 8 of the General Laws, as most recently amended by section 36 of chapter 757 of the acts of 1962, is hereby further amended by striking out, in lines 1 to 11, as appearing in section 36 of chapter 757 of the acts of 1962, the words "The superintendent shall, under the supervision of the governor and council and with the approval of the commissioner of administration, assign the rooms in the state house and rooms elsewhere used by the commonwealth, and may determine the occupancy thereof in such manner as the public service may require; provided, that the executive and administrative departments of the commonwealth shall, so far as is expedient, be in the state house, in any building in the immediate vicinity thereof or in any building in the government center, so called, which building is owned by the commonwealth; and provided further, that this section shall not apply to rooms," and inserting in place thereof the words:- Rooms shall only be

Section 10 is further amended by striking out, in line 19, as so appearing, the word, "He" and inserting in place thereof the words:- The deputy commissioner of capital planning and operations.

SECTION 24. Section ten A of chapter eight of the General Laws is hereby repealed.

SECTION 25. Section eleven of chapter eight of the General Laws is hereby repealed.

SECTION 26. Section 16A of chapter 8 of the General Laws, inserted by section one of chapter 190 of the acts of 1948, is hereby amended by striking out, in lines 20 to 22, the words "subject to the approval of the superintendent and to such regulations of the superintendent as are compatible with the use of such rooms in the state house," and inserting in place thereof the words:- subject to the approval of the deputy commissioner of capital planning and operations

SECTION 27. Section 17 of chapter 8 of the General Laws, as most recently amended by chapter 779 of the acts of 1977, is hereby further amended by striking out, in line 2 as appearing in chapter 664 of the acts of 1953, the words "superintendent of state buildings" and inserting in place thereof the words:- deputy commissioner of capital planning and operations

SECTION 28. Section 17A of chapter 8 of the General Laws, inserted by section 1 of chapter 107 of the acts of 1956, is hereby amended by striking out, in line 1, the words "state superintendent of buildings", and inserting in place thereof the word:- superintendent

SECTION 29. Section 17B of chapter 8 of the General Laws, inserted by chapter 990 of the acts of 1973, is hereby amended by striking out, in line 1, the words "state superintendent of

buildings," and inserting in place thereof the word:- superintendent

SECTION 30. Chapter 35 of the General Laws is hereby amended by adding the following section:

Section 26. Notwithstanding the provisions of section ten, section fourteen, section seventeen, section twenty-five and any other provisions of chapter thirty-four, county capital facilities and capital facility projects, as defined by section thirty-nine A of chapter seven.

SECTION 31. Section 11 of chapter 35 of the General Laws, as most recently amended by chapter 478 of the acts of 1978, is hereby further amended by adding the following sentences: No expenditure of funds appropriated or authorized for the design of a capital facility project shall be approved by a county treasurer unless the executive head or governing body of the agency administering the project - or other person provided for by statute - certifies in writing the the design work is or shall be such as to specify a project that can be accomplished (a) within the appropriation or authorization for the project or within the project cost limits specified by the appropriation or authorization and (b) without substantial deviation from any (i) study or program which must be prepared in accordance with the provisions of section 7K of chapter twenty-nine or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. In no event shall the design work be such as would result in a change in the number of square feet to be constructed in the project of more than ten per cent from the number specified in the study, program or other pre-design document referred to in (b) (i) and (b) (ii). No expenditure of funds appropriated or authorized for the construction of a capital facility project shall be approved by a county treasurer unless the executive head or governing body of the agency administering the project - or other person provided for by statute - certifies in writing that the construction work can be accomplished (a) within the appropriation or authorization for the project and (b) without substantial deviation from (i) any study or program which must be prepared in accordance with the provisions of section 7K of chapter twenty-nine or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. In no event shall the construction work be such as would result in a change in the number of square feet to be constructed in the project of more than ten per cent from the number specified in the study, program or other pre-design document referred to in (b) (i) and (b) (ii).

SECTION 32. Section 28 of the chapter 35 of the General Laws, as most recently amended by chapter 766 of the acts of 1971, is hereby further amended by deleting from line 2 and line 3 the words "including estimates for construction and repair of county buildings and" inserting in place thereof the following words: excluding estimates for capital facility projects, but including estimates

SECTION 33. Said section is hereby further amended by adding the following sentence: Notwithstanding the provisions of this section, and unless otherwise specifically provided for by statute, county capital facility projects, as defined by section thirty-nine A of chapter seven, shall be subject to the provisions of sections seven A, seven B, seven C, seven D and any other provisions of chapter seven applicable to capital facility projects to the same degree and extent as other state agencies, as defined by section thirty-nine A of chapter seven.

SECTION 34. Section 28B of chapter 35 of the General Laws, as most recently amended by chapter 55 of the acts of 1978, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:

The advisory board, prior to the submission of any proposed expenditures by the county clerk to the director of accounts or of any long range capital facilities development plan and budget request to the deputy commissioner of capital planning and operations, shall hold at least one public hearing to discuss the proposed expenditures, plan or request. After such hearing or hearings, the advisory board shall make recommendations concerning county expenditures, long range capital facilities development plans and capital facility budget requests, and said recommendations shall be reported to the county commissioners. The commissioners may accept or reject said recommendations, but in the case of rejection, if the advisory board shall so determine by a two-thirds vote, they may delete or reduce any line item appearing in said budget, plan or request and such action shall be incorporated into the budget, plan or request of the commissioners. The county in its long range capital facilities plan and capital facility budget submitted to the deputy commissioner of capital planning and operations in accordance with the provisions of sections seven A, seven B, and seven C, and seven D of chapter seven, shall include a summary of the recommendations and actions of the advisory board. The clerk of the county shall notify the director of accounts of other actions of the advisory board, and the director of accounts shall include notice of the actions of said board in the report filed with the general court under the provisions of section twenty-eight of this chapter.

SECTION 35. Section 1-18 of Chapter 75 Appendix of the General Laws, St. 1960, c. 773, section 18, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The provisions of sections twenty-six to twenty-nine, inclusive and of sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws, the provisions of section nineteen of chapter nine, the provisions of sections thirty-nine F to thirty-nine P, inclusive, and of section thirty-nine R, of chapter thirty of the General Laws, the provisions of sections thirty B to thirty P, inclusive, of sections forty A to forty D, inclusive, of sections forty I to forty K, inclusive, of sections forty-one A and forty-one B, of sections forty-two A and forty-two B, and of sections forty-three A to forty-three F, inclusive, of chapter seven of the General Laws, as limited by and subject to the provisions of sections thirty-nine A and forty A of chapter seven, and the provisions of sections seven A to seven D, inclusive, and section seven I, of chapter twenty-nine of the General Laws, are hereby made applicable to the authority, notwithstanding any other provisions of this act.

SECTION 36. Section 1-17 of Chapter 75B Appendix of the General Laws, St. 1964, c. 703, section 17, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The provisions of sections twenty-six to twenty-nine, inclusive, and of sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws, the provisions of section nineteen of chapter nine, the provisions of sections thirty-nine F to thirty-nine P, inclusive, and of section thirty-nine R, of chapter thirty of the General Laws, the provisions of sections thirty B to thirty P, inclusive, of sections forty A to forty D, inclusive, of sections forty I to forty K, inclusive, of sections forty-one A and forty-one B, of sections forty-two A and forty-two B, and of sections forty-three A to forty-three F, inclusive, of chapter seven of the General Laws, as limited by and subject to the provisions of sections thirty-nine A and forty A of chapter seven, and the provisions of sections seven A to seven D, inclusive, and section seven I, of chapter twenty-nine of the General Laws, are hereby made applicable to the authority, notwithstanding any other provisions of this act.

SECTION 37. Section 1-18 of Chapter 75A Appendix of the General Laws, St. 1961, c. 557, section 18, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The provisions of sections twenty-six to twenty-nine, inclusive, and of sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws, the provisions of section nineteen of chapter nine, the provisions of sections thirty-nine F to thirty-nine P, inclusive, and of section thirty-nine R, of chapter thirty of the General Laws, the provisions of sections thirty B to thirty P, inclusive, of sections forty A to forty D, inclusive, of sections forty I to forty K, inclusive, of sections forty-one A and forty-one B, of sections forty-two A and forty-two B, and of sections forty-three A to forty-three F, inclusive, of chapter seven of the General Laws, as limited by and subject to the provisions of sections thirty-nine A and forty A of chapter seven, and the provisions of sections seven A to seven D, inclusive, and sections seven I, of chapter twenty-nine of the General Laws, are hereby made applicable to the authority, notwithstanding any other provisions of this act.

SECTION 38. Section 1-17 of of Chapter 73 Appendix of the General Laws, St. 1963, c. 703, section 17, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The provisions of sections twenty-six to twenty-nine, inclusive, and of sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws, the provisions of section nineteen of chapter nine, the provisions of sections thirty-nine F to thirty-nine P, inclusive, and of section thirty-nine R, of chapter thirty of the General Laws, the provisions of sections thirty B to thirty P, inclusive, of sections forty A to forty D, inclusive, of sections forty I to forty K, inclusive, of sections forty-one A and forty-one B, of sections forty-two A and forty-two B, and of sections forty-three A to forty-three F, inclusive, of chapter seven of the General Laws, as limited by and subject to the provisions of sections thirty-nine A and forty A of chapter seven, and the provisions of sections seven A to seven D, inclusive, and section seven I, of chapter twenty-nine of the General Laws, are hereby made applicable to the authority, notwithstanding any other provisions of this act.

SECTION 39. Section 1-3 of Chapter 73 Appendix of the General Laws, St. 1963, c. 703, section 3, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- The authority shall not initiate any project except upon written request made by authority of the trustees and upon written approval from the commissioner of administration and the secretary of educational affairs, and notwithstanding any other provisions of this act the authority shall have

power to initiate only such projects as the trustees determine to be designed primarily to provide facilities for the housing, feeding, medical care or extra curricular use by students, staff and dependents or facilities for use by a research foundation or other research organization as defined above.

SECTION 40. Section 1 of chapter 29 of the General Laws, as most recently amended by chapter 835 of the acts of 1974, is hereby further amended by adding the following sentence:- All words and terms defined by section thirty-nine A of chapter seven of the General Laws and appearing in this chapter shall have the meaning defined therein unless the context shall indicate another meaning or intent.

SECTION 41. Chapter 29 of the General Laws is hereby further amended by inserting after section 2E the following sections:

Section 2F. The governor and the deputy commissioner of capital planning and operations in their long range capital facilities development plans and capital budget requests and the secretaries of the various executive offices in their review and recommendations with regard to such plans and requests may include among them plans and requests for one or more contingency, or other lump-sum or reserve accounts, including but not limited to planning, design and construction contingency, preventive maintenance, emergency repair, energy conservation, life-safety, and architectural barrier funds or acccounts. Each shall include in their plans and request recommendations as to the purpose of such funds or accounts and the priorities and procedures for allocating the monies kept therein.

The deputy commissioner of capital planning and operations shall forthwith establish priorities and procedures for allocating such funds in conformity with the terms of the appropriation authorizing them and legislative intent in regard to long range capital facilities development plans. The deputy commissioner shall forthwith submit copies of the priorities and procedures so established to the commissioner of administration and to the house and senate ways and means committees.

Unless otherwise provided for in the appropriation authorizing such funds or accounts or other applicable law and in conformity therewith and the priorities and procedures established by the deputy commissioner of capital planning and operations, the monies kept therein shall not be allocated unless and until:

(a) the using agency, whether or not it is the agency requesting the funds for the proposed project, certifies in writing to the deputy commissioner of capital planning and operations that the project corresponds to the current needs of the using agency, including its current long range capital facilities development plan;

(b) the deputy commissioner requests that one or more of the directors of the office of programming, office of project management, or the office of facilities management review the project proposal, and the director or directors certify in writing to the deputy commissioner of capital planning and operations that the project proposal reflects the agency's needs as stated, that it provides an accurate estimate of the project requirements, cost and schedule, and that the project can be accomplished within the limits of the funds requested;

(c) The deputy commissioner of capital planning and operation certifies in writing to the commissioner of administration and to the house and senate ways and means committee that the project proposal has been evaluated in conformity with the terms of the appropriation or authorization of the fund or account and the priorities and procedures promulgated by him/her pursuant thereto and approves the allocation.

The deputy commissioner of capital planning and operations shall, upon his/her certification, file copies of the project proposal and other supporting documents, his/her certification and those of the director or directors whose review is requested and the agency requesting such funds with the commissioner of administration and with the house and senate ways and means committees.

If either the director or directors whose review is requested or the deputy commissioner of capital planning and operations should fail to give the aforementioned certifications or approvals, the deputy commissioner shall forthwith send notice of his/her decision and the reasons therefor to the commissioner of administration and to the house and senate ways and means committees.

The deputy commissioner of capital planning and operations shall by February 15 of each year prepare and submit to the commissioner of administration and to the general court a report containing separate sections summarizing the disposition and the status of the funds or accounts and descriptions of all projects for which monies from such fund have been allocated.

Section 2G. There is established and set up on the books of the commonwealth a separate fund, consisting of monies appropriated to the fund by the general court and income derived from the investment of monies appropriated to the fund, known as the capital facility planning fund.

Allocation of monies from such fund shall be made according to the provisions of section 2F of this chapter. The purpose of the capital facility planning fund shall be to provide monies for the planning of capital facility projects by state agencies other than counties. Priority in the allocation of monies from such fund shall be given to projects:

(i) which are included in any long range capital facilities development plan previously approved by the general court or in any master plan, consistent with such long range plans, previously approved by the deputy commissioner of capital planning and operations or

(ii) whose rapid progress is indicated by statutes which provide for capital facility projects to advance specific agency programs, goals or objectives; and for which the delay in seeking monies through the normal capital budget process provided for by this chapter would cause a serious loss in use of the proposed capital facility if it were unavailable or cause a percentage increase in total project cost substantially larger than that for other projects at a comparable stage of development.

Monies from the capital facility planning fund may be allocated, in accordance with priorities stated above, for the preparation of evironmental impact reports to comply with the requirements of chapter twelve and chapter thirty of the General Laws.

Monies from the capital facility fund may be allocated, in accordance with the priorities stated above, for options to purchase land or buildings which will be used for capital facility projects specifically identified in the allocation request.

If monies spent on a capital facility project are allocated from the capital facility planning fund and the funds for the acquisition of a site for or the design or design and construction of such project are appropriated or authorized then a sum of money equal to that allocation shall be deducted from the amount so appropriated or authorized and returned to the capital facility planning fund.

In no case shall a request for monies or monies be allocated for projects for which a similar request is currently being considered according to the capital budget process for the current fiscal year provided for by this chapter or which was so considered during the capital budget process for the previous fiscal year and failed to receive an appropriation or authorization.

Requests for monies from the capital facility planning fund may be made by state agencies other than counties and only after approval of such requests by the secretary of the executive office in which that agency is located, except in the case of a public institution of higher learning, only after approval by the secretary of educational affairs.

SECTION 42. Section 3 of said chapter, as most recently amended by chapter 272 of the acts of 1971, is hereby further amended by inserting after the second paragraph the following paragraph:

Copies of all such statements, recommendations, and estimates as they pertain to space rentals and maintenance and repair of

capital facilities shall be submitted on or before the aforementioned date to the deputy commissioner of capital planning and operations. They shall include a report detailing the current condition of the using agency's buildings, broken down into individual structural or mechanical components, as defined by rule or regulation of the deputy commissioner. Such report shall specify those individual maintenance and repair items for which monies requested in the operating budget shall be used. The deputy commmissioner shall review them and submit his/her evaluation of the priority, necessity, and feasibility of the request contained therein to the officer making such statements, recommendations, and estimates, the budget director, the house and the senate committees on ways and means, and the secretary of the executive office in which the office, department, or undertaking is located, but in the case of a public institution of higher learning, the secretary of educational affairs.

SECTION 43. Section 4 of said chapter, as most recently amended by chapter 844 of the acts of 1974, is hereby further amended by inserting, in line 5 after the words "three", the words:- other than for the purpose of initiating a capital facility project as defined by section thirty-nine A of chapter seven.

SECTION 44. Section 4 of said chapter is hereby further amended by inserting after the first paragraph the following paragraph:

Copies of all such estimates and information shall be submitted to the deputy commissioner of capital planning and operations on or before the aforementioned date. The deputy commissioner shall evaluate them as to the priority, necessity, and feasibility of the requests contained therein in relation to long range capital facilities development plans and capital facility projects contained therein, as defined by section thirty-nine A of chapter seven. The deputy commissioner of capital planning and operations shall submit his/her evaluation to the officer providing such estimates and information, the budget director, and the secretary of the executive office in which the office, department, or undertaking is located, but in the case of a public institution of higher learning, the secretary of educational affairs.

SECTION 45. Section 5 of said chapter, as most recently amended by chapter 757 of the Acts of 1962, is hereby further amended by inserting in line 2 after the words "budget director", the words:- and deputy commissioner of capital planning and operations.

SECTION 46. The third paragraph of section 5B of said chapter, as most recently amended by chapter 283 of the acts of 1976, is further amended by inserting in line 1 after the word "estimates" the following words:- to the deputy commissioner of capital planning and operations.

SECTION 47. Said chapter is hereby amended by striking out section 6, as most recently amended by chapter 1230 of the acts of 1973; section 6A; section 7, as most recently amended by chapter 311 of the acts of 1975; and section 7A, and inserting in place thereof the following sections:-

Section 6. The budget director shall study and review all estimates and requests for appropriations and other authorizations for expenditures of state funds filed with him/her as provided by sections three and four, and shall make such investigations as will enable him/her to prepare an operating budget for the governor, setting forth such recommendations as the governor shall determine. The governor may call upon the comptroller for information relative to finances and for assistance in the preparation of the operating budget. The operating budget shall embody all estimates, requests and recommendations for appropriations, distributions of state-collected revenues and other authorizations for expenditures by the commonwealth in accordance with existing law, other than for capital facility projects, and prior-year appropriations and expenditures other than for capital facility projects, as submitted by each officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth, including periodic appropriations to be met by assessments, by the secretary of the executive office within which such office, department or undertaking shall be, and by the governor. The operating budget shall be classified and designated so as to show separately estimates and recommendations for: (a) expenses for administration, operation and maintenance: (b) deficiencies or overdrafts in appropriations for former years: (c) interest on the public debt and sinking fund and serial bond requirements; and (d) all requests and proposals for expenditures for new programs and other undertakings; and shall include in detail definite recommendations of the governor relative to the amounts which should be appropriated therefor. The operating budget shall show the estimated revenue of each office, department or undertaking. The operating budget shall indicate the number of permanent positions proposed to be authorized for each office, department or undertaking for the ensuing fiscal year, the number of permanent positions for each office, department or undertaking in the current and ensuing fiscal years and such other information as may be held to explain the anticipated results of the proposed expenditures. The operating budget shall include a sum payable for personal services and other expenses for or on account of the enforcement of the laws relating to game and inland fisheries.

Section 7A. Each public agency other than a city or town

shall prepare a long range capital facilities development plan. Such plan shall include projections at least five years from the date of submission of the plan. Each such public agency shall revise the plan annually or at such other time as the deputy commissioner of capital planning and operations may require, or as otherwise mandated by statute or appropriation act. Each plan or revision thereof shall be submitted to the deputy commissioner at such time or according to such schedule as she/he shall specify. Each state agency the authorization of which is otherwise required for capital facility projects of one or more cities and towns shall include in its plan required by this section and its capital facility budget request required by section seven C the information about such projects specified by those sections. The state agency may request from cities and towns the information needed to complete the above-mentioned plan and budget and said information shall be promptly submitted to the state agency. To the maximum extent feasible the deputy commissioner and state agencies shall coordinate the timing and content of their requests for information to minimize duplication of reporting. In the case of local operating agencies as defined in section one of chapter one hundred and twenty-one B, any such plan, revision, capital facility budget, or capital facility budget requests required by this section or section 7C of this chapter shall be prepared and submitted by the department of community affairs as defined in section one of chapter one hundred and twenty-one B.

After consultation with the governor and the commissioner of administration, the deputy commissioner shall, in a timely manner, prepare and send to public agencies a capital facility planning policy statement to inform in the formulation of their long range capital facilities development plans and capital facility budget requests.

The deputy commissioner may at his/her discretion provide guidance and technical assistance to those public agencies lacking sufficient resources to prepare such plans. S/he shall specify the information required, the manner or preparation of the plan, and the form in which it is to be provided.

Section 7B. In formulating requirements for the information to be provided in long-range capital facilities development plans, the deputy commissioner of capital planning and operations shall require at least the following: the history, legislative authority and major responsibilities of the public agency as defined by law and by administrative rule, regulation or directive; the programs being carried out by each as they affect capital facility needs; an appraisal of the responsibilities, objectives and current programs and evaluation of the factors expected to influence future

programs; tabulations of the numbers of people served by and staffing the agency and its subunits; a detailed description of the land and facilities currently owned, leased or used by the agency to the extent that such description has not previously been submitted to the deputy commissioner as part of the real property inventory maintained by him/her and an estimate of their utilization in relation to current and future programs.

In formulating requirements for each long-range capital facilities development plan, the deputy commissioner shall require at least the following: a determination of the capital facility needs based on the programs, population to be served, and the adequacy of existing facilities; a proposed capital facility project schedule and an explanation of the relationship between the need for each project and the stated programs; a summary of the schedule of needs for funds; a tabulation of the estimated staffs required for such new or modified programs and facilities; a tabulation of such projects showing the effect upon staffing, operating, and maintenance expenses; and a description of the geographic and spatial location of the facility relative to other facilities or land of the agency or its subunits.

In formulating requirements for any revisions of long-range capital facilities development plans the deputy commissioner shall require at least the following: a statement of the changes in the agency's responsibilities, objectives and programs; revised estimates of institutional population and staff, and geographic and spatial descriptions of capital facilities; and changes in capital facility requirements as they would have effect at least five years from the date of submission.

Section 7C. Each public agency other than cities and towns shall prepare and submit to the deputy commissioner of capital planning and operations in addition to its long-range capital facilities development plan or revision thereof, an annual capital facility budget at such time as the deputy commissioner of capital facilities development shall require.

In preparing both long-range capital facilities development plans and revisions thereof and capital facility budget requests, the agency shall provide timely public notice of such proposed plans and requests and reasonable opportunity for potential users and staff of the facilities controlled or to be controlled by the agency to comment thereon.

The long range capital facility development plans and capital facility budget request submitted by the agency to the division of capital planning and operations shall contain a summary of those comments and a statement of the extent to which they are reflected in the proposed plans and requests.

The deputy commissioner may provide guidelines to agencies

for soliciting and reporting on such views.

The deputy commissioner may, at his/her discretion, provide guidance and technical assistance to agencies without sufficient resources to prepare capital facility budget requests. S/he shall specify the information being sought, how it might be prepared and the form in which it is to be provided.

The deputy commissioner shall provide for a format and content of long range capital facilities development plans and capital facility budget requests which is, to the maximum extent feasible, consistent with that provided for the operating budget by the director of the budget bureau.

Any public agency may include among its capital facility budget requests, ones for appropriations or authorizations for a class or classes of similar or related capital facility projects. Such request shall include a statement of a) how the class of projects is defined; b) the reasons for requesting appropriations or authorizations for a class of projects rather than individual projects; c) the priorities and procedures for allocating the appropriated or authorized monies among the class of possible projects, making reference to and submitting copies of any studies, surveys, plans, analyses and other documents from which criteria for allocation are to be derived; and d) a proposed initial allocation of the appropriated or authorized monies based on the suggested priorities, procedures and criteria.

In formulating requirements for capital facility budget requests for individual projects, the deputy commissioner shall include at least the following: (a) a concise title description of the project; (b) the location of the project and its site in relation to any existing facilities in close proximity; (c) the estimated schedule for completion of the project including the dates upon which the design and construction of the project are estimated to be commenced and completed and the facility occupied or used. (d) a description of the project and what it involves, appending any planning documents, accurate summaries of design documents and any other documents prepared for or pertaining to that project, if not previously submitted to the deputy commissioner; (e) the useful life of the project before replacement would be necessary; (f) the current status of the plans and site for the project; (g) the status of utilities required for the project; (h) the relationship of the project to the long range capital facilities development plan; (i) the total project cost; (j) the effect of the proposed project on annual operating costs (including maintenance costs); (k) the proposed source of funds; (l) an explanation of the need for the proposed project. The description of the project shall identify any and all previously approved appropriations or authorizations pertaining to the proposed or earlier

phases of the project; the phase or phases approved, in progress, and completed, the estimated or final cost of each phase of the project through completion, and the sum of money permitted to be expended on the project as so approved. To assist his/her staff and user agencies in preparation and review of long range plans and requests, the deputy commissioner shall establish a file of approved appropriations and authorizations of all projects pertaining to each state-owned capital facility. The total project cost shall include at least the following items: the cost of all real estate, properties, rights and easements acquired, utility services, site development; the cost of construction and the initial furnishing thereof; all architectural and engineering and legal expenses, the cost of surveys and plans and specifications; and such other expenses as are necessary or incident to determining the feasibility or practicability of any project. The estimate of the toal project cost shall be based on the assumption that the project will be undertaken and completed according to the estimated schedule. Included in the estimate shall be a statment of its accuracy. The estimate of the effect of the proposed project on annual operating costs shall be based on the estimated date of use or occupancy of the facility. In the proposal for source of funds, there shall be included a statement of what federal funds are potentially available, what efforts are necessary and have been or must be made to obtain them, or why they cannot be obtained.

Section 7D. Copies of the proposed plans and requests shall be submitted simultaneously to the deputy commissioner of capital planning and operations, the secretaries of all executive offices, the director of the budget bureau, the state treasurer, and the commissioner of the department of revenue, and the house and senate ways and means committees. The secretaries shall submit to the deputy commissioner a report on the consistency of any public agency's plans and requests with the programs and policies of the executive office on which it is located - except in the case of a public institution of higher learning, the secretary of educational affairs - including the secretary's recommendations as to those plans and requests. Prior to making their reports, each secretary shall conduct public hearings, for which s/he shall give five days public notice prior thereto, on his/her analysis and recommendations as to those plans and requests. Any secretary, when requested by the deputy commissioner, shall submit to him/her a report on the impact of the specific statutory mission of the secretariat of the plans and request of any public agencies not located within his/her secretariat. Each secretary shall furnish to the house and senate committees on ways and means and the joint legislative committee on post audit

and oversight of the general court, copies of all such plans, requests, and reports.

The director of the bureau of programming, director of the office of project management and/or the director of the office of facilities management, as the deputy commissioner directs, shall report to him/her as to the technical feasibility, cost, and schedule of proposed building projects; the technical, financial, and related requirements for the operation and maintenance of such buildings upon completion of the proposed projects; where relevant, the efficacy and efficiency of the proposed project in relation to current and projected available space and current and projected standards for the allocation and utilization of space; the accuracy and adequacy of any planning and design documents and any other documents prepared in relation to the stated needs, and as to any other matters which the deputy commissioner may require relative to his/her evaluation of such plans and requests. At the deputy commissioner's request, the head of the public agency which administers or would administer a capital facility project - other than a building project - or consultants hired by him/her for that purpose, or members of the deputy commissioner's staff shall report to him/her as to the technical feasibility, cost and schedule of that project; the technical, financial, and related requirements for the operation and maintenance of such facilities upon completion of the proposed projects; where relevant, the proposed project in relation to current and projected available facilities of a similar kind; the accuracy and adequacy of any planning documents, accurate summaries of design documents and any other documents prepared in relation to stated needs, and as to any other matters which the deputy commissioner may require relative to his/her evaluation of such plans and requests.

The director of the budget bureau shall report in writing to the deputy commissioner on the impact of proposed agency plans and requests - based on the stated and projected overall agency programs - on the agency's operating budgets for the next five years (or for such longer period as the deputy commissioner shall request). The commissioner of the department of revenue shall report in writing to the deputy commissioner on the impact of proposed agency plans and requests - on their requirements for and production of revenue for at least the next five years (or for such longer period as the deputy commissioner shall request). The reports of the director of the budget bureau and the commission of the department of revenue shall be sent to the state treasurer. The state treasurer may if requested by the deputy commissioner report in writing to the deputy commissioner on the impact of all plans and requests, separately and as a whole on the financial health of the Commonwealth and make such

recommendations as to the form and nature of the financing as s/he deems necessary.

Copies of the proposed plans and requests shall in a timely manner be submitted to each of the regional planning agencies established pursuant to the provisions of chapter forty B for their review. They shall submit to the deputy commissioner a statement of their comments and recommendations, including those of cities and towns in the region which are affected by such plans and requests.

The deputy commissioner may request such other reports from public agencies as the deputy commissioner may deem necessary to fulfill his/her responsibilities for the integration and coodination of capital facility projects.

Section 7E. The deputy commissioner of capital planning and operations shall study and review all long range capital facility development plans and capital facility budget requests and reports pertaining thereto filed with him/her as provied by sections seven A, seven B, seven C, and seven D, and shall make such investigations as will enable him/her to prepare a capital facility budget for the governor. The deputy commissioner shall include in such budget an integrated and comprehensive long range capital facilities development plan and capital facility budget request and such other recommendations as the governor shall determine upon. The capital facility budget shall embody all plans, estimates, requests, and recommendations submitted to the deputy commissioner in accordance with sections seven A, seven B, seven C, and seven D. The capital facility budget shall be classified and designated to present at least the same kind and quality of information as are required of plans and requests by sections seven A, seven B, seven C, and seven D. The deputy commissioner shall include an evaluation of the proposed plan and budget request in terms of the capital facilities planning policy statement and any revisions thereof s/he proposes.

The governor in his/her capital facility budget and the deputy commissioner of capital planning and operations, in his/her recommendation to the governor of a capital facility budget, shall include in such requests for each building project contained therein, for which the using agency is a state agency, a recommendation as to the need for and where appropriate, a request for, a study and program as a prerequisite to contracting for, performance of, or allotment or expenditure of funds for any design or construction-related activities. If a study or program is not recommended the governor and deputy commissioner shall include the reasons therefor. They shall also include a recommendation as the mode of procurement of such facility, including

but not limited to, sequential, construction management, turnkey, design/build procurement, and the phasing of such procurement, including but not limited to approval of design and construction stages as separate or combined phases, which will most efficiently, economically and best serve the interests of the commonwealth. When an alternative mode of procurement is recommended, the governor and deputy commissioner shall also recommend the method by which design and/or construction services shall be procured for such project, provided that such method shall be compatible with the policies and procedures for the selection of designers in sections 30B through 30P and with the policies and procedures for the selection of contractors in sections 44A through 44H of chapter one hundred and forty-nine, to the extent feasible. If the governor or the deputy commissioner should recommend a mode of procurement other than the sequential mode or a phasing of procurement other than approval of design and construction as a combined phase, each shall state in detail the reasons therefor.

Furthermore, their requests shall contain a statement as to the expected useful life of the facility from the date of construction, renovation, acquisition, or other procurement; a statement of the proposed source of funds; where relevant, a recommendation as to the form and scheduling of financing of said project; and a recommendation as to the date upon which the authorization for the expenditure of the funds should expire. If the governor or the deputy commissioner of capital planning and operations should recommend a means and form of financing of the project such that the term of repayment exceed the expected useful life of the project, the governor and deputy commissioner shall state in detail the reasons therefor. The governor and the deputy commissioner shall transmit therewith a statement showing the total indebtedness proposed to be incurred for each capital facility project and the fund to be charged therefor, and the toal cost of financing said project according to the recommended form and scheduling of such financing. The governor and the deputy commissioner shall also transmit therewith a statement relative to the condition of the state debt, including an analysis of the impact of the proposed capital facility budget, including the long range capital facilities plan, on the financial health of the commonwealth. Such statement shall, where appropriate, include reference to the impact of obligations of public agencies which are guaranteed by or are contingent liabilities of the commonwealth.

Section 7. The governor's and the deputy commissioner of capital planning and operations' capital facility budget shall include provision for establishment of a design and construction

contingency reserve account, the purpose of which shall be to provide monies for the design and construction of capital facility projects by state agencies which, because of unforseeable circumstances, not within the contemplation of the using or the administering agency, and for justifiable reasons, would cause the project cost to exceed the sums then appropriated or authorized therefor. Allocation of monies from such reserve account shall be made according to the provisions of section 2F of this chapter. Priority in the allocation of monies from such account shall be given to projects for which the delay in seeking monies through the normal capital budget process provided for by this chapter would cause a serious loss in use of the capital facility if it were unavailable when needed or cause a percentage increase in total project cost substantially larger than that for other projects at a comparable stage of progress.

In no case shall a request for monies be made or monies be allocated for projects for which a similar request is currently being considered according to the capital budget process for the current fiscal year provided for by this chapter, or which was so considered during the capital budget process for the previous fiscal year and failed to receive an appropriation or authorization. Further, in no case shall a request for monies be made or monies be allocated if as a result of the review provided for by section 2F of this chapter the deputy commissioner of capital planning and operations finds (a) that the proposal for use of such monies will result in a substantial deviation from any study or program for the project most recently approved by him/her or from or from any design for the project most recently approved by the administering agency or (b) that the proposal for use of such monies will result in a cumulative increase in the number of gross square feet to be constructed in the project in excess of ten per cent of the number most recently specified in an appropriation or authorization for the project.

Requests for monies from the design and construction contingency reserve account may be made by state agencies which are the using agencies of those projects.

In establishing priorities and procedures for allocation of monies from the design and construction reserve account pursuant to section 2F of this chapter, the deputy commissioner of capital planning and operations shall establish specific limits for the amount of money which may be allocated from the account for any particular project, the amount which may be allocated for the construction of any particular project excluding price inflation contingencies, and the amount which may be allocated for the construction of any particular project for price inflation contingencies. In no event shall the cumulative amount allocated

from the account to any one capital facility project exceed ten percentum of the total cost specified by the appropriation or authorization for that project.

Section 7G. The governor's and the deputy commissioner of capital planning and operations' capital facility budget shall include provisions for establishment of an emergency repair reserve account, the purpose of which shall be to provide monies for the performance of repair projects of such a nature that funding through the capital budget process provided for by this chapter would be burdensome. Allocation of monies from such reserve accounts shall be made according to the provisions of section 2F of this chapter. Priority in the allocation of monies from such fund shall be given as follows:

(1) Top priority shall be given to funding requests for projects designed to remedy clear and present dangers to the health and safety of the users of the facility in question;

(2) Secondary priority shall be given to funding requests for projects which would prevent imminent destruction or damage of property or equipment beyond reasonable repair; and

(3) third priority shall be given to funding requests for projects, that would restore use of a facility or part of a facility to its user, where the loss of use has seriously disrupted the agency's program functions.

In no case shall a request for monies be made or monies be allocated for projects for which a similar request was considered during the capital budget process for the preious year as provided for by this chapter, and which failed to receive an appropriation or authorization.

Requests for monies from the emergency repair reserve account may be made by state agencies other than counties and by the office of facility management.

Section 7H. The governor shall submit to the general court annually within three weeks after the general court convenes in regular session a budget including an operating budget and a capital facility budget and long range capital facilities development plan. The recommendations contained therein shall, to the fullest possible extent, conform with the programs of the several offices and departments as defined by the commissioner of administration with the advice of the agency heads or other officers responsible for the administration thereof and long range capital facilities development plans as defined by the deputy commissioner of capital planning and operations. The budget shall also include definite recommendations of the governor for financing the expenditures recommended, and the relative amounts to be raised from ordinary revenue, direct taxes or loans. All appropriations based upon the budget to be paid from taxes or rev-

enue shall be incorporated in a single bill to the designated the general appropriation bill. With the budget the governor shall submit to the general court statements detailing and explaining his/her reasons for recommending any increase in, decrease in, or deletion from the budgetary recommendations (a) of any department office, commission, or institution, or other public agency, or in the case of a department, office, commission or institution within any executive office established by chapters six A and seven of the secretary of such executive office, (b) of the general court, (c) of the judiciary, and (d) of the deputy commissioner of capital planning and operations. The governor shall also submit such other messages, statements of supplemental data relative to the budget as s/he deems expedient and, from time to time during the session of the general court may submit supplemental messages on recommendations relative to appropriations, revenues and loans. Upon submission of the budget to the general court, the governor shall, through the executive office for administration and finance, make available to the public all material relevant to said budget, including all supporting documents pertinent thereto. This shall include at least the mailing, at the time of submission of the Governor's budget and subsequently the House and Senate Ways and Means budgets, of (a) copies of these budgets to the state house library, and to the State office building in Springfield, (b) copies of all reports, statements, recommendations, or evaluations required by sections three, three A, four, five, five B, six, six A, seven D, or seven E of this chapter to the state house library. They shall be placed on public display and made available for reproduction during business hours.

All information required under this section to be filed with or as part of the budget by the governor, and which is not contained within the budget as filed or within accompanying documents filed at the same time, shall be filed by the governor within the following sixty days and shall be accompanied by a detailed statement explaining the failure to provide the material at the time the budget was submitted.

Section 71. All requests and recommendations for appropriations or authorizations for expenditures by the commonwealth, other than those submitted by the governor to the general court pursuant to section two of Articles LXIII of the Amendment to the Constitution, shall be submitted by the governor to the general court; shall be classified to show the request of each officer having charge of an office, department or undertaking, including the priorities assigned to each program by said officer, the recommendation of the secretary of the executive office within which such office, department or undertaking shall be,

the recommendation of the governor, and the prior year appropriation, if any; and shall indicate the number, if any, of permanent positions proposed to be authorized for an office, department or undertaking and the number of persons to be served or the number of actions to be taken by such office, department or undertaking.

All such requests and recommendations as they pertain to capital facility projects shall also be studied by the deputy commissioner of capital planning and operations with reference to any current long range capital facility development plans proposed in accordance with the requirements of sections seven A, seven B, seven C and seven D. The deputy commissioner in his/her study shall consider the effects upon the policies, programs, and priorities with regard to which s/he is required to report in accordance with section seven J and with reference to any other matters which the deputy commissioner requires to be reported to him/her in his/her review and evaluation of capital facility budget requests by public agencies in accordance with the provisions of sections seven A, seven B, seven C, seven D and seven E of this chapter. After such review and study, the deputy commissioner shall promptly prepare and submit his/her recommendations to the general court.

The deputy commissioner of capital planning and operations shall promptly review any petition, motion or amendment introduced in either chamber of the general court which makes a provision for a capital facility project. During such review the deputy commissioner shall study the necessity, desirability, and relative priority of such capital facility project by reference to any current long range capital facilities development plans proposed in accordance with the requirements of sections seven A, seven B, seven C, seven D, and seven E. The deputy commissioner in his/her study shall consider the effects upon the policies, programs, and priorities with regard to which s/he is required to report in accordance with section seven J, and with reference to any other matters which the deputy commissioner requires to be reported to him/her in his/her review and evaluation of capital facility budget requests by public agencies in accordance with the provisions of sections seven A, seven B, seven C, seven D, and seven E. After such review and study the deputy commissioner shall promptly prepare and forward his/her recommendation on the petition, motion, or amendment to the chamber in which it was introduced and where it is pending.

Section 7J. The deputy commissioner of capital planning and operations shall, each year, no later than thirty days after the governor submits the budget in accordance with the provisions of sections seven H, submit to the governor and to the general

court a report which shall include, but not be limited to, the following: an evaluation of the effect of the capital facility budget, and the implementation of the proposed long range capital facilities development plan upon important policies, programs, and priorities mandated by the general court or established by the governor in accordance with law such as impact on the environment, energy conservation, preventative maintenance, architectural barriers, and the effective coordination of such policies, programs, and priorities with those of the federal government to assure the maximum benefit to the commonwealth from such federal programs.

No later than an additional thirty days thereafter, the deputy commissioner shall submit to the governor and to the general court a similar report on the impact of and the progress made in the implementation of long range capital facilities plans and previously authorized capital facility projects.

Section 7K. Every appropriation or authorization for the design or construction of a building project for which a state agency is the using agency shall be deemed to require the satisfactory completion of a study or program before any services for the design or construction of such project may be contracted for, performed by contract or otherwise, or funds allotted, encumbered or expended therefor, unless such appropriation or authorization specifically states that no such study or program need or shall be done.

No provider of design services for any building project for which a state agency is the using agency shall be selected by the designer selection board or by the administering agency in accordance with the provisions of sections thirty B through thirty P inclusive of chapter seven and no design services shall be performed for or by such administering agency for any building project for which the satisfactory completion of a study program is required prior to the design or construction of that project, unless and until: (a) said study, program or where appropriate, both, have been satisfactorily completed; (b) the using agency certifies in writing to the deputy commissioner of capital planning and operations that the study, program, or where appropriate both, correspond to the current needs of that agency, including its current long term capital facilities development plan; (c) the deputy commissioner requests that one or more of the directors of the office of programming, office of project management, or office of facilities management review the study or program, or where appropriate, both, and the director or directors certify in writing to the deputy commissioner that the study, program, or where appropriate both, reflect the using agency's needs as stated, that they provide an accurate

estimate of the project requirements, cost and schedule, that the project can be accomplished within the appropriation or authorization for that project, and recommends proceeding with design, construction, or where appropriate, both; and (d) the deputy commissioner of capital planning and operations certifies in writing to the commissioner of administration that the study, program, or where appropriate both, are in conformity with the scope and purpose of the appropriation or authorization for the project and legislative intent in regard to long range capital facility plans for the using agency, and approves proceeding with design, construction, or where appropriate, both.

If either the director or directors whose review is requested or the deputy commissioner of capital planning and operations should fail to so certify, recommend, or approve, the deputy commissioner shall forthwith send notice of his/her decision and the reasons therefor to the commissioner of administration and to the house and senate ways and means committees.

Section 26A. No allotment, encumbrance, or expenditure of funds appropriated or authorized for the design of a capital facility project shall be approved by the comptroller unless the executive head of the agency administering the project - or other person provided for by statute - certifies in writing that the design work is or shall be such as to specify a project that can be accomplished (a) within the appropriation or authorization for the project or within the project cost limits specified by the appropriation or authorization and (b) without substantial deviation from any (i) study or program which must be prepared in accordance with the provisions of section 7K of this chapter or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. In no event shall the design work be such as would result in a change in the number of square feet to be constructed in the project of more than ten per cent from the number specified in the study, program or other pre-design document referred to in (b) (i) and (b) (ii).

No state agency - as defined by section thirty-nine A of chapter seven - administering a capital facility project shall enter into any contracts or incur any other obligations or cause to be performed design services for that project if such would result in the completion of a project which cannot be accomplished (a) within the appropriation or authorization for the project or within the project cost limits specified by the appropriation or authorization and (b) without substantial deviation for (i) any study or program which must be prepared in accordance with the provisions of section 7K of this chapter or (ii)

any other pre-design planning document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. In no event shall the design work by such as would result in a change in the number of gross square feet to be constructed in the project of more than ten per cent from the number specified in the study, program or other pre-design document referred to in (b) (i) and (b) (ii).

Section 26B. No allotment, encumbrance, or expenditure of funds appropriated or authorized for the construction of a capital facility project shall be approved by the comptroller unless the executive head of the agency administering the project - or other person provided for by statute - certifies in writing that the construction work can be accomplished (a) within the appropriation or authorization for the project and (b) without substantial deviation from (i) any study or program which must be prepared in accordance with the provisions of section 7K of this chapter or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. In no event shall the construction work be such as would result in a change in the number of square feet to be constructed in the project of more than ten per cent from the number specified in the study, program or other predesign document referred to in (b) (i) and (b) (ii).

No state agency - as defined by section thirty-nine A of chapter seven - administering a facility administering project shall enter into any contracts or incur any obligations or cause to be performed construction of that project if such would result in the completion of a project which cannot be accomplished (a) within the appropriation or authorization for the project and (b) without substantial deviation from (i) any study or program which must be prepared in accordance with the provisions of section 7K of this chapter or (ii) any other pre-design document which must be prepared in accordance with any other statute, appropriation or authorization or administrative directive consistent therewith. In no event shall the construction work be such as would result in a change in the number of square feet to be constructed in the project of more than ten per cent from the number specified in the study, program or other predesign document referred to in (b) (i) or (b) (ii).

SECTION 48. Section 41 of chapter 29 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:- Such records shall not include those pertaining to real property acquired for the use of state agencies, pursuant to section forty M of chapter 7.

SECTION 49. Section 4 of chapter 29A, inserted by section 12 of chapter 478 of the acts of 1978, is hereby amended by striking out, in line 16, the words:- the state superintendent of buildings", and inserting in place thereof the words:- the deputy commissioner of capital planning and operations.

SECTION 50. Chapter 9 of the General Laws is amended by adding after section 19 the following section:

Section 20. The department of the state secretary shall publish a central register listing all notices of contracting opportunities estimated to be in excess of a sum to be determined by the secretary offered by any public agency or authority of the commonwealth or any political subdivision thereof. Notices published in the central register shall include, but not be limited to: (a) invitations relating to the procurement of supplies; design, construction and other services; and rentals of equipment incident to the design and/or construction, reconstruction, renovation, repair, demolition or furnishing of any capital facility; (b) notices of subcontracting opportunities incident to such design and/or construction, reconstruction, renovation, repair, demolition or furnishing; (c) notices of proposed sales, rentals or acquisitions of real property. Each notice shall provide information concerning the subject matter of the proposed transaction, any special qualifications or requirements pertaining thereto, instructions for submitting proposals, and such other information as the secretary shall require. The register shall also provide notice of the individual or firm selected for negotiation or award of any contract or as party to any other transaction, including leases, sales, and other agreements, advertised in a prior edition of the register; the amount of the contract, purchase, sale, lease or other agreement; the names of subcontractors and suppliers, if available; and information concerning currently debarred contractors as provided in section forty-four C of chapter one hundred and forty-nine. In cases of emergency procurements necessary to preserve the health and safety of persons or property, publication in the central register shall not be required.

Every public agency or public authority of the commonwealth and every political subdivision thereof shall be responsible for reporting to the secretary on a timely basis information concerning contracting opportunities and proposed transactions subject to this section in order to facilitate publication of notice of such contracting opportunities and proposed transactions in the central register.

The secretary shall write rules, regulations and guidelines concerning the format and content of the register and the technical details of its publication; and which shall provide that the

register shall be published at least once a week and shall be made available by subscription at a rate sufficient to cover the costs of publication and mailing.

SECTION 51. The provisions of this section shall apply to all contracts for designer services for all capital facility projects within the commonwealth entered into on or after one hundred and eighty days after this act takes effect other than those services expressly exempted herein.

Chapter 7 of the General Laws is hereby amended by striking out section 30B, as most recently amended by chapter 291 of the acts of 1978, and inserting in place thereof the following sections:

Section 30B. A) Section thirty B through thirty P, inclusive, shall:

ensure that the commonwealth receives the highest quality design services for all its public building projects;

provide for increased confidence in the procedures followed in the procurement of design and design related services;

promote consistency in the methods of procurement of design and design related services for all public building projects in the commonwealth;

foster effective broad-based participation in public work within the design professions;

provide safeguards for the maintenance of the integrity of the system for procurement of designers' services within the commonweath;

b) All words defined by section thirty-nine A which appear herein shall have the meanings set forth in said section thirty-nine A. The words defined in this section shall have the meanings set forth below whenever they appear in sections thirty B through thirty P, inclusive, unless the context in which they are used clearly requires a different meaning, or a different definition is prescribed for a particular section or provision.

"Designer" means an individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of architecture, landscape architecture, or engineering, which satisfies the following:

(i) if an individual, the individual is a registered architect, landscape architect, or engineer;

(ii) if a partnership, a majority of all the partners are persons who are registered architects, landscape architects, or engineers;

(iii) if a corporation, sole proprietorship, joint stock company or other entity, the majority of directors and the chief executive officer are persons who are registered architects, landscape architects, or engineers, and the person to have the project in

his or her charge is registered in the discipline required for the project;

(iv) if a joint venture, each joint venturer satisfies the requirements of this section.

"Programmer" means any designer or any other individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the preparation of architectural facility programs or studies.

"Construction manager" means any designer or any other corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of construction management or construction scheduling.

"Design services" means any of the following services provided by any designer, programmer, or construction manager in connection with any public building project:

(i) preparation of master plans, studies, surveys, soil tests, cost estimates or programs;

(ii) preparation of drawings, plans, or specifications, including but not limited to schematic drawings, preliminary plans and specifications, working plans and specifications or other administration of construction contracts documents;

(iii) supervision or administration of a construction contract;

(iv) construction management or scheduling.

"Applicant" means any person or entity applying to perform design services, the principal personnel responsible for the provision of such services for the project, and the persons who will be the principal staff for the project.

"Public agency" means a department, agency, board, commission, authority, or other instrumentality of the Commonwealth or political subdivision of the Commonwealth or two or more subdivisions thereof other than cities and towns, and any agency, unit, authority, or instrumentality thereof.

"Director" means the director of the office of project management, or in the case of agencies subject to the provisions of section four B of this chapter, the chief executive official of the agency or his/her designee.

"Deputy Commissioner" and "Division" means the deputy commissioner and division of capital operations and planning, respectively.

"Board" means the designer selection board.

"Continued services" means authorization for a designer who has been appointed for one stage of a project to act as the designer for a succeeding stage or stages of the same project.

"Extended services" means authorization for a designer who has been appointed to provide design services for a project to act as designer for work to be done on another project not

originally included in that designer's contract.

Section 30. C. a) There shall be located within the executive office for administration and finance a designer selection board, consisting of eleven members. Eight members shall be appointed by the governor, of whom three shall be registered architects, three shall be registered engineers, and two shall be representatives of the public who are not architect designers, engineers or construction contractors. Three additional members shall be appointed as follows: one registered architect by the Massachusetts State Association of Architects, one registered engineer by the Government Affairs Council of Design Professional and one general contractor by the Associated General Contractor. The board shall be expanded from the present five members to eleven members according to the following schedule: one additional architect, one additional engineer, and the one general contractor shall be appointed by the designated body within ninety days of the effective date of this section; another additional public representative shall be appointed within one year thereafter. Members shall be appointed for terms of two years and may be reappointed for no more than one successive two year term. The members shall annually select one member to be the chairperson. The director shall designate a representative, who shall be the project manager in the case of a project under the jurisdiction of the office of project management, to act as a non-voting member of the board for each project under his/her jurisdiction under consideration by the board. No provision of this section shall operate to reduce the tenure of members of the board serving at the time of the effective date of this section, except that the Director of Bureau of Building Construction shall cease to so serve upon the effective date of this section.

b) Members of the board shall be reimbursed for all necessary expenses incurred in the discharge of their official duties.

c) The board shall be provided with a suitable office by the executive office for administration and finance. The board shall employ an executive director who shall be a registered architect or engineer registered in Massachusetts and such other staff or consultants as it may deem necessary, subject to appropriation for the board. The board and its staff may travel within and without the commonwealth.

Section 30D. a) The board shall have jurisdiction over the selection of all designers, programmers, and construction managers performing design services in connection with any building project for all public agencies within the provisions of paragraphs (1), (2), and (4) of section forty-A of chapter seven, except those public agencies within the provision of section 30L, and the procedures promulgated by any agency of the com-

monwealth for such selection by any housing authority subject to paragraph (3) of said section, unless a specific exemption from the board's jurisdiction is provided under this section.

b) The board shall grant an exemption for two years from its jurisdiction to each public agency within the provisions of paragraphs (3) and (4) of section forty-A of chapter seven, but in no event to any public agency within the provisions of paragraphs 91) and (2) of said section, if the agency has filed a written application for an exemption pursuant to subparagraph (c) of this section; provided, however, that the board may withhold an exemption if the board determines that the designer selection procedure proposed by the public agency does not substantially incorporate the procedures required in section thirty C through thirty K inclusive, and section thirty N, or that the selection of finalists will not be made with the advice of design professionals or that the procedure proposed by the public agency does not satisfy the purposes of sections thirty B through thirty P, inclusive, as set forth in section thirty B, and that withholding such an exemption is in the best interest of the commonwealth; provided, however, that nothing in this section shall be interpreted to require the establishment of a board as prescribed in section thirty C or to waive or in any way diminish the requirements imposed by any other provision of the General Laws. No withholding of an exemption shall take effect until the board shall have specified in writing the reasons for withholding an exemption and any changes in the agency's procedures which are required before an exemption will be granted.

c) An application by a public agency for exemption from the jurisdiction of the board pursuant to this section must be verified by the agency director under the penalties of perjury, and must contain:

(i) a detailed description of the designer selection process and the written designer selection procedures which the agency proposes to use;

(ii) a statement that the agency's proposed designer selection process substantially incorporates the procedures required of the board in section thirty C through thirty K, inclusive, and section thirty N;

(iii) a statement that the agency's projects are not subject to the jurisdiction of the division of capital planning and operations operations; and

(iv) any other information required by the board.

d) An exemption shall be renewed by the board on a biennial basis if:

(i) the board finds that the requirements of subparagraph (b)

herein are met at the time of the renewal;

(ii) the agency director files a verified application for renewal containing a description of any proposed changes in its designer selection procedure; and

(iii) the agency director had filed a semi-annual report containing:

a list of all contracts for designer services awarded by the agency since its last application, including for each project the name(s) and address(es) of any designer(s) awarded such contracts, a brief description of the project, the estimated, or if available, the final construction cost for the project, and the estimated or, if available, final fee paid to the designer(s); and

certification that all contracts so listed were awarded by the procedure described in the agency's last application.

(e) Projects shall be exempt from the jurisdiction of the board if the estimated construction cost is less than ten thousand dollars.

(f) The following types of projects, and contracts for design services for such projects, shall not be exempt from the board's jurisdiction:

(i) Contracts for continued or extended services on projects over which the board otherwise has jurisdiction;

(ii) Projects otherwise subject to the jurisdiction of the board for which an agency or the division intends to use its own staff to perform design services, except projects within Class I, as defined by subparagraph (d) of section thirty G, herein, unless the board determines that the agency or the division has the capability with its existing staff to perform those services on the project in question, applying the same criteria as are used for selection of consultant designers.

Section 30E. a) Each contract for designer services for a project subject to the jurisdiction of the board shall be publicly advertised by the board in a newspaper of general circulation in the area in which the project is located or to be located, and the central register established under section twenty of chapter nine, and in such places as the board requires by regulation, at least two weeks before the deadline for filing applications.

(b) The public notice required by subparagraph (a) herein shall contain:

(i) a description of the project, including the specific designer services sought, the estimated construction cost, and the time period within which the project is to be completed;

(ii) if there is a program for the project, a statement of when and where the program will be available for inspection by applicants, and when and where a briefing session will be held for applicants, if one is required by the board's regulations and if

there is not a program for the project, a statement to the effect;

(iii) the qualification required of applicants for the projects;

(iv) the categories of designers' consultants, if any, for which applicants must list the names of consultants which the applicant may choose to use;

(v) whether the fee has been set or will be negotiated, and if the fee has been set, the amount of the fee.

Section 30F. a) No designer, programmer, or construction manager may file an application for any project subject to the board's jurisdiction unless having first filed with the board a written statement containing the following information:

(i) certification that the applicant legal entity, if applying to perform design services other than preparation of studies, surveys, soil testing, cost estimates or programs, is a designer or construction manager as defined in section thirty B (b);

(ii) the names and addresses of all partners, if a partnership, of all officers, directors and all persons with an ownership interest of more than five per cent in the applicant if not a partnership;

(iii) the registration number and status of each such person in every jurisdiction in which such person has ever been registered as an architect, landscape architect or engineer;

(iv) a list of all projects for all public agencies within the commonwealth for which the applicant has performed or has entered into a contract to perform design services within the five year period immediately preceding the filing of the information required in this section;

(v) a list of all current projects for which the applicant is performing or is under contract to perform any design services; and

(vi) if the applicant is a joint venture, the information required in this section shall be required for each joint venturer, as well as for the joint venture itself.

b) The board shall keep a permanent record of the statements filed pursuant to this section and shall require the statements to be made current on a regular basis, and that statements pursuant to subparagraph (v) and (vi) of paragraph (a) of this section be current with each application filed.

c) An applicant to perform design, programming or construction management services on a project must file, in addition to the statement required under paragraph (a) of this section, a written application as prescribed by the board, relating to the applicant's experience, ability, and qualifications.

d) The board and its staff shall be allowed access to all records of all public agencies concerning any applicant, or any project for which the applicant performed any services, for the

purpose of verifying information submitted by the applicant, or for the purpose of evaluating the applicant's experience, ability or qualifications.

(e) Every application or statement filed pursuant to this section shall be sworn to under penalties of perjury. A designer, programmer or construction manager who has been determined by the board to have filed materially false information under this section shall be disqualified by the board from further consideration for any project for such time as the board determines is appropriate.

(f) The board shall not advertise for designers nor select any finalists to perform any design services other than the preparation of master plans, studies, surveys, soil tests, cost estimates, or programs unless the deputy commissioner certifies: That it is appropriate to do so and either that a program defining the design services required has been prepared, and has been approved by the division, or that no program is required by the division.

Section 30G. a) The board shall adopt written applicants' criteria for selection of semi-finalists and finalists based upon information obtained under section thirty F for each project. The criteria shall include:

(i) prior similar experience;

(ii) past performance on public and private projects;

(iii) financial stability; (iv) identity and qualifications of the consultants who will work with the applicant on the project; and

(v) any other criteria that the board considers relevant for any project.

(b) Semi-finalists may be chosen for each project.

The board shall select at least three finalists from among all the applicants, or from the semi-finalists selected under this section, and in doing so may require all the applicants or the semi-finalists to:

(i) appear for an interview before the board;

(ii) present a written proposal to the board; or

(iii) participate in a design competition held by the board.

(c) The board shall transmit a list of the chosen finalists to the deputy commissioner. No person or firm debarred pursuant to section forty-four C of chapter one hundred forty-nine, as amended herein, or disqualified pursuant to 30F(e) of chapter 149 shall be so included as a finalist.

The list shall: rank the finalists in order of qualification and include a record of the final vote of the board on the selection; and include a written statement explaining the board's reasons for its choice and its ranking of the finalists.

(d) The board may, by regulation, establish three classes of projects, using as criteria for its classification the estimated construction cost and any other factors the board deems appropriate, with Class III including those projects which are the largest or most complex, and Class I including those projects which are smallest or least complex. The board may delegate its powers and duties under sections thirty E(b), thirty F (c) and (d), thirty G (a) and (b), thirty I and thirty J to panels of less than all the board members on rotating assignment as follows:

(i) for Class I projects, the panel shall consist of at least three members, two of whom shall be architects or engineers;

(ii) for Class II projects, the panel shall consist of five members, four of whom shall be architects or engineers;

(iii) for Class III projects, the panel shall consist of at least nine members, seven of whom shall be architects or engineers.

(e) For the purposes of chapter two hundred and sixty-eight A, as amended, and subject to the penalties therein, no member of the board shall participate in the selection of a designer as a finalist or semi-finalist for any project if the member or any member of his or her immediate family: has a direct or indirect financial interest in the award of the design contract to any applicant;

(ii) is currently or has ever been employed by, or is a consultant or has ever been a consultant to or under contract or has ever been under contract to an applicant;

(iii) is negotiating or has an arrangement concerning future employment or contracting with any applicant; or

(iv) has an ownership interest in, or is an officer or director of, any applicant.

Section 30H. a) In the selection of a designer when the fee for design services has been set by the deputy commissioner prior to the selection process, the deputy commissioner shall appoint a designer from among the list transmitted to him/her under section thirty G. If the deputy commissioner appoints any designer other than the one ranked first by the board, s/he shall file a written justification of the appointment with the board.

(b) When the fee for design services is to be negotiated, the deputy commissioner shall review the list transmitted by the board, and may exclude any designer from the list if a written explanation of the exclusion is filed with the board. The deputy commissioner shall then appoint a designer based on successful fee negotiation. The deputy commissioner or persons designated by him/her shall first negotiate with the first ranked designer remaining on the list. Should the deputy commissioner be unable

to negotiate a satisfactory fee with the first ranked designer within thirty days, negotiations shall be terminated and negotiations undertaken with the remaining designers, one at a time, in the order in which they were ranked by the board, until an agreement is reached. In no event may a fee be negotiated which is higher that a maximum fee set by the deputy commissioner prior to selection of finalists. Should the deputy commissioner be unable to negotiate a satisfactory fee with any designer initially selected as a finalist by the board, the board shall recommend additional finalists in accordance with the provisions of this chapter. The deputy commissioner may require a finalists with whom a fee is being negotiated to submit a fee proposal and include with it such information as the deputy commissioner requires to provide current cost and pricing data on the basis of which the designer's fee proposal may be evaluated.

(c) All fees shall be stated in designer's contracts and in any subsequent amendment thereto as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.

Section 301. a) When the board has required that applicants list consultants which the applicants may employ, in no event shall a consultant be used who is debarred pursuant to section forty-four C of chapter one hundred and forty-nine as amended, and any change in or addition to the consultants named in the application and allowed by the board upon appointment must be approved by the deputy commissioner and reported to the board, along with a written statement by the designer or construction manager of the reasons for the change.

(b) If the designer's or construction manager's fee is negotiated, the designer or construction manager must file a truth-in-negotiations certificate prior to being awarded the contract by the deputy commissioner, which must be incorporated into the contract. The certificate must contain:

(i) a statement that the wage rates and other costs used to support the designer's compensation are accurate, complete, and current at the time of contracting; and

(ii) an agreement that the original contract price and any additions to the contract may be adjusted within one year of completion of the contract to exclude any significant amounts if the deputy commissioner determines that the fee was increased by such amounts due to inaccurate, incomplete or noncurrent wage rates or other costs.

(c) The board may specify other special conditions or requirements in selecting a particular applicant as a finalist. If any change is made by the applicant after appointment relating to such special conditions or requirements, the change must be

approved by the deputy commissioner and reported to the board along with a written statement by the appointee of the reasons for the change.

(d) A designer or programmer appointed to do a feasibility study, master plan or program for a project shall be ineligible for appointment to perform the design services for that project,

(e) Every contract for design services awarded under sections thirty B through thirty P, inclusive, shall include the following:

(i) certification that the designer or construction manager has not given, offered or agreed to give any person, corporation or other entity any gift, contribution or offer of employment as an inducement for, or in connection with, the award of the contract for design services;

(ii) certification that no consultant to or subcontractor for the designer or construction manager has given, offered or agreed to give any gift, contribution or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;

(iii) certification that no person, corporation or other entity, other than a bona fide full time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and (iv) certification with respect to contracts which exceeds ten thousand dollars or which are for the design of a building for which the budgeted or estimated construction cost exceed one hundred thousand dollars that the designer has internal accounting controls as required by section thirty-nine R (d) of chapter thirty and that the designer has filed and will continue to file an audited financial statement as required by subparagraph (e) of the foregoing section thirty-nine R.

(f) Contracts for design services shall include a requirement that the designer at his/her own expense obtain and maintain a professional liability insurance policy covering negligent errors, omissions and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of such contracts for design services. The designer shall furnish a certificate or certificates of such insurance coverage to the public agency prior to the award of the contract. For the purpose of this subparagraph only, "public agency" shall have the meaning set forth in section

thirty-nine A of this chapter. A professional liability insurance policy obtained and maintained pursuant to this subparagraph shall provide for coverage in an adequate amount for the applicable period of limitations and include any added coverage and in such amounts as the public agency shall require.

At the request of the director, a consultant employed by a designer subject to this subparagraph shall obtain and maintain a liability insurance policy covering negligent errors, omissions and acts of such consultant or of any person or business entity for whose performance the consultant is legally liable arising out of the performance of the contract for consultant services. The consultant shall furnish a certificate or certificates of such insurance coverage to the designer selection board in the case of a consultant hired by a designer selected pursuant to section thirty G or to a public agency not subject to the jurisdiction of said board prior to the employment of such consultant by the designer. A liability insurance policy maintained under this subparagraph shall provide for coverage of such type and duration and in such amount as the public agency shall require.

(g) A designer, construction manager, or programmer who has been determined by the board to have provided materially false statements or information under this section shall be disqualified by the board from future work on any project for such time as the board determines is appropriate.

Section 30J. The deputy commissioner may appoint a designer to perform continued or extended services if the following conditions are met:

(i) a written statement is filed with the board explaining the reasons for the continuation or extension of services;

(ii) the program for the design services is filed with the board if one is required by the regulations of the division; and

(iii) the board approves the appointment of the designer for continued or extended services and states the reasons therefor.

Section 30K. a) Whenever the health or safety of any persons will be endangered because of the time required for the selection of a designer, programmer or construction manager by the procedures prescribed by sections thirty B through thirty P, inclusive, or whenever a deadline for action is set on a project by any court or federal agency which cannot be met if those selection procedures are followed, the deputy commissioner may declare that an emergency situation exists.

(b) If the deputy commissioner declares that an emergency situation exists, finalist selection may be made by the board by expedited procedures adopted by regulation by the board.

Section 30L. a) Every contract for design services for any building construction, reconstruction, alteration, remodeling, or

repair estimated to exceed ten thousand dollars by any city, town, or agency, board, commission, authority or instrumentality thereof, other than housing authorities shall be awarded only after a selection procedure adopted in writing, prior to publication requesting applications, complying with the purposes and intent of sections thirty B through thirty P, inclusive, and the following requirements:

(i) the provisions of section thirty E regarding public notice;

(ii) the establishment of uniform requirements of information to be submitted by all applicants, a uniform procedure for the evaluation of all applications to a group of no fewer than three finalists, and the opportunity to be afforded equally to all finalists to provide additional information to or appear before the selection body;

(iii) That a written explanation of the reasons for selection including the recorded vote if any was taken be made public and accompany the notification of award in the awarding authority's records.

(iv) The provisions of section thirty H (c) regarding the designation of fees in the contract;

(v) Provided, however, that nothing in this section shall be interpreted to require the establishment of a board or to waive or reduce the requirements of any other applicable law or regulation.

(b) The board shall publish guidelines to assist public agencies not within the board's jurisdiction in the establishment of a professional and objective designer selection procedure, including a model application form, consistent with the provisions and intent of sections thirty B through thirty P, inclusive.

(c) Any city, town or other public agency not otherwise subject to the jurisdiction of the board may request the board to exercise jurisdiction regarding the selection of applicants to perform design services for a specified period of time or for a specified project. In such cases, all provisions of sections thirty B through thirty P, inclusive, shall apply to the board, the applicants and the public agency so requesting.

Section 30M. a) The board, any public agency exempted under section thirty D, and all other governmental units engaged in the selection of applicants to perform design services but not otherwise subject to the board's jurisdiction shall keep the following records:

(i) all information supplied by or obtained about each applicant;

(ii) all actions taken by the board or agency relating to any project;

(iii) any other records related to designer selection required by the division.

The records of public agency exempted under section thirty D or not otherwise subject to the jurisdiction of the board shall be available for inspection by the board or the division.

Section 30N. The board shall submit an annual report to the division of capital operations listing all finalists selected by the board and all awards made pursuant to the provisions of sections thirty B through thirty P, inclusive, a summary of the activities and other actions of the board and its staff, and such other items at the board deems appropriate.

Section 30 O. The board shall independently adopt procedures and regulations as necessary to implement expeditiously the requirement of sections thirty B through thirty P, inclusive. Such procedures and regulations may vary according to the class of project.

Section 30P. If any provisions of sections thirty B through thirty O, inclusive, or the applications of such provisions to any person or circumstance are held invalid or unconstitutional, the other provisions of said sections or the application of such provisions to any person or circumstance other than that as to which it is held invalid or unconstitutional shall not be affected thereby.

SECTION 52. Chapter 29 of the General Laws is hereby amended by striking out section 8A and inserting in place thereof the following section:

Section 8A. No officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth shall award any contract for the construction, reconstruction, alteration, repair or development at public expense of any building, road, bridge or other physical property if the amount involved therein is one thousand dollars or over, unless a notice inviting proposals therefor shall have been posted, not less than one week prior to the time specified in such notice for the opening of said proposals, in a conspicuous place on or near the premises of such officer, and shall have remained so posted until the time so specified, and, if the amount involved therein is in excess of five thousand dollars, unless such a notice shall also have been published at least once not less than two weeks prior to the time so specified, or in the case of any contract awarded pursuant to the provisions of sections forty-four A through H, inclusive, of chapter one hundred and forty-nine, unless a notice inviting applications to bid has been published at such time prior to receipt of proposals as section forty-four D of said chapter provides; and at such other times prior thereto, if any, as the commissioner of administration, or in the case of any contract awarded pursuant to sections forty-four A through H, inclusive, of chapter one hundred and forty-

nine, as the deputy commissioner of capital planning and operations shall direct, in the central register published by the state secretary pursuant to section twenty of chapter nine and in such newspaper or newspapers or trade periodical or periodicals as said commissioner or deputy commissioner, having regard to the locality of the work involved in such contract, shall prescribe; provided, that such publication may be omitted, in cases of special emergencies involving the health and safety of the people and their property, upon the written approval of said commissioner or deputy commissioner; and provided further, that in the case of work under the supervision or control of the department of public works, the commissioner of public works shall prescribe the newspaper or newspapers or trade periodical or periodicals in addition to the central register in which said notice shall be published, having regard to the locality of the work involved. Proposals for any contract subject to this section shall be in writing and shall be opened in public at a time and place specified in the posted or published notice, and after being so opened shall be open to public inspection. No contract or preliminary plans and specifications shall be split or divided for the purpose of evading the provisions of this section. No contract subject to the provisions of sections forty-four A through H, inclusive, of chapter one hundred and forty-nine shall be awarded unless the provisions of section forty-four D of said chapter have been fully complied with. The provisions of this section shall not apply to any transaction between the commonwealth and any of its political subdivisions or between the commonwealth and any public service corporation.

SECTION 53. Section 39F of chapter 30 of the General Laws as most recently amended by section 2 of chapter 774 of the acts of 2972 is hereby amended by striking out the words "sections forty-four A to forty-four L, inclusive" and substituting in place thereof the words "forty-four A to forty-four H, inclusive." of the third paragraph thereof.

SECTION 54. Section 28 of chapter 43 of the General Laws, as most recently amended by section 2 of chapter 199 of the acts of 1974, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:

No contract for construction work or for the purchase of equipment, supplies or materials, whether for repairs or original construction, the estimated cost of which amounts to two thousand dollars or more, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded unless proposals for the same have been invited by advertisements in the central register published by the state secretary pursuant to section twenty of chapter nine and in at

least one newspaper published in the city once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals, provided, however, that no contract subject to the provisions of sections forty-four A through H, inclusive, of chapter one hundred and forty-nine shall be awarded unless applications to bid have been solicited in accordance with the provisions of section forty-four D of said chapter. Such advertisements shall state the time and place where plans and specifications of proposed work or supplies may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the city the right to reject any or all of such proposals. All such proposals shall be opened in public. In the case of any contract subject to the provisions of sections forty-four A through H, inclusive, of chapter one hundred and forty-nine, the provisions of section forty-four D of said chapter shall be fully complied with prior to the solicitation of any such proposals. No bill or contract shall be split or divided for the purpose of evading any provision of this chapter.

SECTION 55. Chapter 149 of the General Laws is hereby amended by striking out sections 44A through 44L, inclusive, and inserting in place thereof the following sections:

Section 44A. (1) The words defined in this section shall have the meanings set forth below whenever they appear in sections forty-four A through forty-four H, inclusive, of this chapter unless indicated otherwise or unless the context in which they are used clearly requires a different meaning.

"Deputy Commissioner" means the deputy commissioner of the division of capital planning and operations, or his or her designee;

"Public Agency" means a department, agency, board, commission, authority, or other instrumentality of the commonwealth or political subdivision of the commonwealth, or two or more subdivisions thereof but not including the Massachusetts Bay Transportation Authority;

"Responsible" means demonstrably possessing the skill, ability and integrity necessary to faithfully perform the work called for by a particular contract, based upon a determination of competent workmanship and financial soundness in accordance with the provisions of section forty-four D of this chapter;

"Eligible" means able to meet all requirements for bidders set forth in sections forty-four A through forty-four H of this chapter and not debarred from bidding under section forty-four C of this chapter or any other applicable law, and who shall certify that s/he is able to furnish labor that can work in

harmony with all other elements of labor employed or to be employed on the work.

(2) Every contract for the construction, reconstruction, installation, demolition, maintenance or repair of any building by a public agency estimated to cost more than five thousand dollars shall be awarded to the lowest responsible and eligible general bidder on the basis of competitive bids in accordance with the procedure set forth in the provisions of section forty-four A through H, inclusive, of this chapter. When the legislature has approved the use of an alternative mode of procurement of construction for a project pursuant to section seven E of chapter twenty-nine, the awarding authority responsible for procuring construction services for such project shall follow the policies and procedures of this section and of section 44B through H, inclusive, to the extend compatible with the mode of construction procurement selected.

(3) The award of every such contract in connection with which approval by an officer, board or agency of the federal government is required shall be made within thirty days, Saturdays, Sundays and legal holidays excluded, after such approval; and the award of every contract subject to this section in connection with which approval by an officer, board or agency of the federal government is not required shall be made within thirty days, Saturdays, Sundays, and legal holidays excluded, after the opening of the bids therefor. If the bidder selected as the general contractor fails to perform his/her agreement to execute a contract in accordance with the terms of his/her bid and furnish a performance bond, quality bond as hereinafter described and also a labor and materials or payment bond as stated in his/her bid in accordance with section forty-four E, an award shall be made to the next lowest responsible and eligible bidder, subject to the provisions of sections forty-four A through H of this chapter. The awarding authority may require and prescribe the form for a quality bond. If required such bond shall take effect on the earliest effective date of any guarantee under the contract and notwithstanding the term of any guarantee under the contract, continue for such a term of years as the awarding authority requires. The obligation of the quality bond shall be to protect the Commonwealth again loss or potential loss through the guarantee of the quality of the materials and workmanship provided under the contract. The thirty-day time limit shall not be applicable to a second or subsequent award made after expiration of the time limit with the consent of said next lowest responsible and eligible bidder, and made because the original award made within the time limit was invalid, or because the bidder failed to execute the contract or

to provide a performance bond and labor and materials or payment bond.

(4) In cases of extreme emergency caused by explosion, fire, flood, earthquake, hurricane, tornado, or other catastrophe, an awarding authority may, with the prior approval of the deputy commissioner, award a contract for that portion of the work necessary to preserve the health or safety of persons or property on the basis on such competitive bids as it can obtain in time to care for the extreme emergency and without public opening of the bids.

Section 44B. (1) 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, one complete set of specifications and plans drawn on a scale of not less than one-eighth inch to one foot except for site plans and which have not been mechanically reduced, for each person requesting the same.

The awarding authority shall prepare and update daily a list of persons who have requested a set of plans and specifications, indicating clearly which plans and specifications or pages thereof were requested. Such list shall be posted prominently at the office of the awarding authority and sent on a weekly basis to the central register published by the state secretary pursuant to section twenty of chapter nine, and such other publications as the deputy commissioner designates.

(2) Every bid submitted for a contract subject to section forty-four A and every sub-bid submitted in connection with such a contract for a subtrade pursuant to section forty-four F shall be accompanied by a bid deposit in the form of a bid bond, or cash, or a certified check on, or a treasurer's or cashier's check issued by, a responsible bank or trust company, payable to the commonwealth or public agency in the name of which the contract for the work is to be executed. A bid bond shall be (a) in a form satisfactory to the awarding authority, (b) with a surety company qualified to do business in the commonwealth and satisfactory to the awarding authority and (c) conditioned upon the faithful performance by the principal of the agreements contained in the bid.

The amount of such bid deposit shall be five per cent of the value of the bid.

(3) All bid deposits of general bidders, except those of the three lowest responsible and eligible general bidders, shall be returned within five days, Saturdays, Sundays and legal holidays excluded, after the opening of the general bids. The bid deposits of the three lowest responsible and eligible general

bidders shall be returned upon the execution and delivery of the general contract or, if no award is made, upon the expiration of the time prescribed in section forty-four A for making an award; except that, if any general bidder who fails to perform his/her agreement to execute a contract and furnish a performance bond and also a labor and materials or payment bond as stated in his/her bid in accordance with section forty-four E, his/her bid deposit shall become and be the property of the commonwealth or the public agency to which it is payable, as liquidated damages; provided that the amount of the bid deposit which becomes the property of the commonwealth or the public agency shall not, in any event, exceed the difference between his/her bid price and the bid price of the next lowest responsible and eligible bidder; and provided further that, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other similar unforeseen circumstances affecting the general bidder, his/her bid deposit shall be returned to him/her.

(4) All bids deposits of sub-bidders, except (a) those of the sub-bidders named in the general bids of the three lowest responsible and eligible general bidders and (b) those of the three lowest responsible and eligible sub-bidders for each sub-trade, shall be returned within five days, Saturdays, Sundays and legal holidays excluded, after the opening of the general bids. The bid deposits of sub-bidders not returned pursuant to the provisions of the preceding sentence shall be returned within five days, Saturdays, Sundays, and legal holidays excluded, after the execution of the general contract; except that, if a selected sub-bidder fails to perform his/her agreement to execute a sub-contract with the general bidder selected as the general contractor, contingent upon the execution of the general contract, and, if requested to do so in the general bid by such general bidder, to furnish a performance and payment bond as stated in his sub-bid in accordance with section forty-four F(2), the bid deposit of such sub-bidder shall become and be the property of the commonwealth or the governmental unit thereof to which it is payable, as liquidated damages, provided that, the amount of the bid deposit which becomes the property of the commonwealth or the governmental unit thereof shall not, in any event, exceed the difference between his/her sub-bid price and the sub-bid price of the next lowest responsible and eligible sub-bidder; and provided further that, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other unforeseen circumstances affecting any such sub-bidder, his bid deposit shall be returned to him.

(5) In addition to the provisions for the return of bid deposits in he first sentence of subsection (3) and (4) upon re-

ceipt of a bid bond in an amount not less than the amount of the required bid deposit, an awarding authority shall return any bid deposit of a bidder forthwith after public opening of bids. The bid bond shall be in an amount and in the form provided in subsection (2).

Section 44C. (1) The words and phrases defined in this section shall have the meanings set forth below whenever they appear in this section.

"Contractor" means any person or entity that has furnished or seeks to furnish goods or services under contract with a public agency or with an individual or entity under contract with a public agency relating to the acquisition planning, design, construction, demolition, installation, repair or maintenance of any capital facility. Contractors subject to this section shall include, but shall not be limited to, general contractors, subcontractors, materials suppliers and vendors, and suppliers of architectural, engineering, construction management, testing, land surveying and consultant services. Employees of a public agency who furnish goods or services in the course of their employment shall not be subject to this section.

"Public contract" means any contract for the furnishing of goods or services to any public agency relating to the acquisition planning, design, construction, demolition, installation, renovation, repair or maintenance of any capital facility.

"Debarment" means an exclusion from public contracting or subcontracting for a reasonable, specified period of time not to exceed five years commensurate with the seriousness of the offense.

"Affiliates" means entities which are affiliates of each other when either directly or indirectly one concern or individual controls or has the power to control another, or when a third party controls or has the power to control both.

(2) (a) The division of capital planning and operations shall establish and maintain a consolidated list of contractors to whom public contracts will not be awarded and from whom bids, applications to bid or proposals will not be solicited.

(b) The list shall show at a minimum the following information:

(1) The names of those entities and individuals debarred in alphabetical order with appropriate cross reference where more than one name is involved in a single debarment;

(2) The basis of authority for each debarment;

(3) The extent of restrictions imposed;

(4) The termination date of each debarment.

c) The deputy commissioner shall cause the list to be kept current by the issuance of notices of additions and deletions.

(d) The list shall be published on a periodic basis, together with notices of additions and deletions therefrom, in the central register published by the state secretary under section twenty of chapter nine and in such other publications as the deputy commissioner shall designate.

(3) Debarment may be imposed for any of the following causes;

(a) Conviction or final adjudication by a court or administrative agency of competent jurisdiction of any of the following offenses:

(i) a criminal offense incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract; (ii) a criminal offense involving embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty which seriously and directly affects the contractor's present responsibility as a public contractor; (iii) a violation of state or federal antitrust laws arising out of the submission of bids or proposals; (iv) a violation of state or federal laws regulating campaign contributions; (v) a violation of any state or federal law regulating hours of labor, prevailing wages, minimum wages, overtime pay, equal pay or child labor; (vi) a violation of any state or federal law prohibiting discrimination in employment; (vii) repeated or aggravated violation of any state or federal law regulating labor relations or occupational health or safety;

(b) Clear and convincing evidence as determined by the deputy commissioner of the commission of any of the following acts: (i) wilful supplying of materially false information incident to obtaining or attempting to obtain or performing any public contract or subcontract; (ii) willful failure to comply with the record-keeping and accounting requirements set forth in section thirty-nine R of chapter thirty; (iii) a record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more public contracts, provided that such failure to perform or unsatisfactory performance has occurred within a reasonable period of time preceding the determination to debar and provided further that such failure to perform or unsatisfactory performance was not caused by factors beyond the contractor's control; (iv) any other cause affecting the responsibility of a contractor which the deputy commissioner determines to be of such serious and compelling nature as to warrant debarment.

(4) In determining whether to debar a contractor, or the period of a debarment, all mitigating facts and circumstances

shall be taken into consideration. Except as precluded by statute, a debarment may be removed or the period thereof may be reduced by the deputy commissioner upon the submission of an application supported by documentary evidence setting forth appropriate grounds for the granting of relief, such as newly discovered material evidence, reversal of a judgment or conviction, bona fide change of ownership or management, or the elimination of the causes for which the debarment was imposed.

(5) Except as provided in section twenty-seven C of this chapter, no contractor may be debarred unless the deputy commissioner has first informed the contractor sought to be debarred by written notice of the proposed debarment mailed by registered or certified mail to the contractor's last known address. The notice shall inform the contractor of the reasons for the proposed debarment and shall state that the contractor will be accorded an opportunity for a hearing if s/he so requests within fourteen days of receipt of the notice. A hearing requested under this section shall be conducted by the deputy commissioner or his/her designee within thirty days of receipt of the request, unless the deputy commissioner grants additional time therefor. The hearing shall be conducted according to the rules for the conduct of adjudicatory hearings established by the commissioner of administration pursuant to chapter thirty A. A debarment shall not be imposed until (i) fourteen days after receipt by the contractor of notice of the proposed debarment if no hearing is requested, or (ii) the issuance of a written decision by the deputy commissioner or his/her designee which makes specific findings that there is clear and convincing evidence to support the debarment and that debarment for the period specified in the decision is required to protect the integrity of the public contracting process. A contractor shall be notified forthwith of the decision by registered or certified mail, and of his/her right to judicial review in the event that the decision is adverse to the contractor.

(6) A debarment may include all known affiliates of a contractor. The decision to include a known affiliate within the scope of a debarment shall be made on a case-by-case basis, after giving due regard to all relevant facts and circumstances. The offense or act of an individual justifying debarment may be imputed to the entity with which s/he is connected when such offense or act was accomplished with the knowledge or approval of that entity. Likewise, when an entity is involved in an offense or act justifying debarment, any individual who was involved in the commission of the offense or act may be debarred. An affiliate, entity or individual may not be debarred unless it is afforded prior notice and opportunity for a hearing in accordance with the provisions of this section.

(7) During a period of debarment, applications to bid, bids or proposals shall not be solicited or considered from debarred contractors, and contractors shall not contract for the services of debarred subcontractors on any public construction project.

Section 44D. (1) Every notice which invites applications to bid on a project subject to section forty-four A shall provide sufficient facts concerning the nature and scope of such project, the type and elements of construction, and such other information as will assist applicants in deciding whether to apply and in preparing applications to bid on such contract. No person or entity may bid on a general contract subject to the provisions of sections forty-four A unless s/he shall furnish to the awarding authority within one week after publication of such notice (i) a prequalification statement, unless such person or entity has filed a prequalification statement under the same name with any awarding authority subject to the aforesaid provisions or with the division of capital planning and operations within the past twelve months; and (ii) an application to bid. If all bids are rejected pursuant to section forty-four E and the contract is re-bid, the provisions of this section shall be fully complied with in connection with such re-bidding.

(a) The prequalification statement shall be in such form as the deputy commissioner shall prescribe, shall be signed by the applicant under penalties of perjury, and shall supply information concerning the applicant's form of organization, its principals and key personnel; the applicant's experience on public and private construction projects over the past five years; all legal or administrative proceedings currently pending against the applicant or concluded adversely to the applicant within the past five years which relate to the procurement or performance of any public or private construction contract; and such other information as the deputy commissioner shall deem relevant to the determination of the applicant's qualifications and responsibility. The prequalification statement shall include a statement of financial condition certified by a certified public accountant which shall contain information concerning the applicant's current assets and liabilities, plant and equipment; bank and credit references, bonding company and maximum bonding capacity; and such other information as the deputy commissioner shall deem relevant to an evaluation of the applicant's financial capacity and responsibility. The information contained in the prequalification statement shall be current at the time of filing; provided, however, that the statement of financial condition shall pertain to the applicant's most recent, completed fiscal year and shall have been certified by a certified public accountant no more than twelve months prior to the date of filing. No prequalification

statement shall be valid for more than twelve months from the date of its receipt by an awarding authority. Any materially false statement in the applicant's prequalification statement or application to bid may, in the discretion of the awarding authority, result in termination of any contract awarded the applicant by the awarding authority, and shall constitute cause for debarring the applicant from future public work as provided in section forty-four C. Immediately upon receipt of a prequalification statement, the awarding authority shall mark the statement with the date, the name of the awarding authority and number of the statement; and shall send the original of such statement to the division of capital planning and operations, and shall give the applicant a copy of the statement marked with the date and number. The division of capital planning and operations shall retain every such prequalification statement for a period of two years from the date of receipt. Such statements are not public records as defined in section seven of chapter four, and shall not be open to public inspection; provided, however, that current prequalification statements may be furnished to an awarding authority requesting the same for the sole purpose of evaluating applicants who have filed applications to bid with the awarding authority.

(b) The application to bid shall be in such form as the deputy commissioner shall prescribe, and a blank copy of such form shall be furnished by the awarding authority to every person or business entity requesting a copy. The application to bid shall provide space for the following information: project number, the applicant's name and address, the number and date of the applicant's most recently filed prequalification statement unless the statement is filed with the application to bid, information regarding all projects completed by the applicant since the filing of his/her most recent prequalification statement, all projects which the applicant currently has under contract including the percentage of work on such projects not completed, the dollar amount of all outstanding bids and of all contracts which the applicant presently has under negotiation, the names and qualifications of the personnel who will have supervisory responsibility for the performance of the contract, any significant changes in the applicant's financial position or business organization since the filing of his/her most recent prequalification statement; a description by docket number, court, names of parties, subject matter and amount in controversy of all pending litigation to which the applicant is a party; and such other relevant information as the deputy commissioner shall prescribe. The applicant shall certify under penalties of perjury at the conclusion of the application to bid that there have been no substantial changes in

his/her financial position or business organization other than those changes noted within the application since the applicant's most recent prequalification statement. Defects or omissions in the application to bid or in a prequalification statement shall not require the awarding authority to determine that the applicant is ineligible to bid, unless the awarding authority has given the applicant timely notice of all such defects or omissions and opportunity to make any required changes or additions. If the awarding authority requires any special qualification or information for a particular project, notice of such requirement shall be provided in the advertisement for applications to bid, and the application to bid shall provide space for the applicant to list such additional qualification or information.

(2) No person or entity who has failed to file an application to bid on a particular contract or who has not filed a prequalification statement with the application to bid or within the twelve months preceding the filing of the application to bid shall be permitted to bid on the contract; nor shall any person or business who has been debarred pursuant to the provisions of section forty-four C be permitted to bid on the contract.

(3) Within two weeks after the final date for submission of the application to bid, the awarding authority shall evaluate every applicant submitting such application, on the basis of the applicant's most recent prequalification statement and the application to bid, according to procedures and criteria which the deputy commissioner shall prescribe by regulations or guidelines. Such criteria shall include the following: the record of the applicant's performance including, where available, written evaluations of the applicant's performance on public and private jobs over the past five years; the applicant's prior experience on projects of similar size and type; the experience and qualifications of the supervisory personnel who will have major responsibility for performance of the contract; the maximum amount of work the applicant is capable of undertaking as demonstrated by the applicant's financial condition, bonding capacity, size of previous projects, and present and anticipated work commitments; and any other relevant criteria which the deputy commissioner or awarding authority may prescribe. The regulations and guidelines governing prequalification of bidders shall provide that, to the extent possible, the criteria considered shall be assigned separate designated numerical values and weights, and the applicant shall be assigned an overall numerical rating on the basis of all criteria. An overall rating below a minimum prescribed by regulation shall require the awarding authority to determine that the applicant is ineligible to bid on the project. No later than two weeks after the final date for submission of

applications to bid, the awarding authority shall cause to be published in the central register established by section twenty of chapter nine and in such publications as the deputy commissioner has designated for publication of notices soliciting applications to bid, a list of all persons or entities who are eligible to bid on the contract. Publication of such list shall constitute notice of eligibility to such persons or entities.

The awarding authority shall transmit a copy of the rating assigned to each applicant, together with all documentary materials on which the rating was based, to the division of capital planning and operations, which shall retain the information for a period of one year and shall transmit it to an awarding authority upon request for the purpose of evaluating an applicant to bid on a subsequent project. Such ratings and documentary materials shall not be public records as defined in section seven of chapter four and shall not be open to public inspection.

(4) General bids shall be considered by the awarding authority only from those persons or entities appearing on such list, unless the commissioner of labor and industries reverses a determination of ineligibility as provided in paragraph (7). Bids shall be submitted to the awarding authority by a time and at a place designated in the aforesaid list no earlier than two weeks after publication of such list.

(5) An awarding authority may request in writing that the division of capital planning and operations evaluate applicants to bid on a particular project or on all projects subject to sections forty-four A through H undertaken by the awarding authority for a specified period of time not to exceed one year. Such request may be renewed by the awarding authority for an additional year at the end of the one-year period, and for additional one-year periods thereafter. If an awarding authority makes such request, it shall forthwith transmit all prequalification statements and applications to bid which it receives from applicants to the division of capital planning and operations, together with a complete description of the project to which the applications pertain. The division of capital planning and operations shall evaluate the applicants according to the procedures set forth in paragraph (3) within two weeks of receipt of the prequalification statements and applications, and shall forthwith notify the awarding authority of the results of its evaluation and shall simultaneously publish the names of all entities or individuals eligible to bid on the project in the central register and such other publications as the deputy commissioner shall designate. The awarding authority shall promptly notify all applicants whom the division of capital planning and operations has determined to be ineligible to bid on the project in accordance

with the procedures set forth in paragraph (6).

(6) Any applicant whom the awarding authority or the division of capital planning and operations has determined to be ineligible to bid shall be notified in writing forthwith of his/her ineligibility and of the reasons therefor. Such applicant may respond to a notice of ineligibility by submitting to the awarding authority within five business days of receipt of such notice written objections to the determination of ineligibility together with any relevant documentary materials. The awarding authority shall furnish a copy of such written objections and other documentary materials to the division of capital planning and operations, which shall append the same to the applicant's most recent prequalification statement. Such written objections and documentary materials may be furnished upon the applicant's written authorization to any awarding authority requesting a copy of such prequalification statement.

(7) Any applicant aggrieved by a determination of ineligibility to bid on a project subject to this section may appeal in writing to the commissioner of labor and industries within two business days of receipt of notice thereof. The commissioner of labor and industries shall investigate the matter and shall issue a written ruling affirming or reversing the determination of ineligibility within one week of receipt of the appeal. The commissioner of labor and industries may, if s/he deems it necessary or expedient to a just determination of the matter, hold a hearing at which all parties may appear, in person or by counsel, and present evidence. If the commissioner of labor and industries reverses such determination, s/he shall immediately direct the awarding authority to allow the applicant to bid on the project. The commissioner's decision shall be final and binding, subject to any remedies at law available to an aggrieved party.

(8) The deputy commissioner may issue such rules, regulations, orders, guidelines and policies as s/he deems necessary or expedient to effectuate the purposes of this section.

(9) The provisions of this section do not apply to sub-bidders.

Section 44E. (1) Whenever general bids are invited for a contract subject to section forty-four A and whenever sub-bids are invited in connection with such a contract subject to section forty-four F (1), the awarding authority shall prescribe one place for filing such general bids and one place for filing such sub-bids, which need not be the same place; and notwithstanding any provisions of general or special law, ordinance or by-law to the contrary, a bidder shall not be required to file a duplicate or his/her bid or sub-bid in any other place.

In inviting bids, the awarding authority shall reserve the

right to reject any or all such general bids, if it be in the public interest to do so. In inviting sub-bids in connection with such a contract, the awarding authority shall reserve the right to reject any sub-bid on any sub-trade, if it determines that such sub-bid does not represent the sub-bid of a person competent to perform the work as specified or that less than three such sub-bids were received and that the prices are not reasonable for acceptance without further competition.

(2) Every general bid submitted for a contract subject to section forty-four A shall be submitted on a form furnished by the awarding authority to every qualified person or entity applying therefore, requiring the bidder to agree and certify (a) that s/he will furnish all labor and materials required for the project in accordance with the plans and specifications made available by the awarding authority, for a specified contract price, subject to whatever additions and deductions are contained in the terms of the specification; (b) which addenda, if any, shall be included in the bid; (c) that s/he will comply fully with all laws and regulations applicable to awards made subject to section forty-four A; (d) that s/he agree that the sub-bidder named on the form will be used for the work indicated at the amount stated unless a substitution is made. S/he further agrees to pay the premiums for the performance and payment bonds furnished by sub-bidders as requested herein and that all of the cost of all such premiums will be included under his work.

S/he if selected as general contractor, s/he will promptly confer with the awarding authority on the question of sub-bidders; and that the awarding authority may substitute for any sub-bid listed above a sub-bid duly filed with the awarding authority by another sub-bidder for the sub-trade against whose standing and ability the undersigned makes no objection; and that the undersigned will use all such finally selected sub-bidders at the amounts named in their respective sub-bids and be in every way as responsible for them and their work as if they had been originally named in this general bid, the total contract price being adjusted to conform thereto; (e) that s/he if selected as general contractor, will within five days, Saturdays, Sundays, and legal holidays excluded, after presentation thereof by the awarding authority, execute a contract in accordance with the terms of the bid, and furnish a performance bond, quality bond as described in subsection (3) of section 44A of this act and also a labor and materials or payment bond, each of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority, and each in the sum of the contract price, the premiums for which are to be paid by the general contractor and included in the contract price; (f) that s/he is able to furnish labor that

can work in harmony with all other elements of labor employed or to be employed on the work.

(3) General bids shall be for the complete work as specified and shall include the names of sub-bidders and the amounts of their sub-bids; and the general contractor shall be selected on the basis of such general bids. Every general bid which is not accompanied by a bid deposit as prescribed by paragraph (2) of section forty-four B, or which otherwise does not conform with sections forty-four A to forty-four H, inclusive, or which is on a form not completely filled in, or which is incomplete, conditional or obscure, or which contains any addition not called for, shall be invalid; and the awarding authority shall reject every such bid. No such bid shall be rejected because of the failure to submit prices for, or information relating to, any item or items for which no specific space is provided in the bid form furnished by the awarding authority, but this sentence shall not be applicable to any failure to furnish prices or information required by this section.

General bids shall be publicly opened and read by the awarding authority forthwith after the time limit for filing thereof.

The bid price shall be the price set forth in a clearly designated place on the bid form for that purpose. No general bid shall be rejected (1) because the sum of the prices for all work of the general contractor and sub-bids does not equal the general bid price set forth on the bid form for that purpose or (2) because of error in setting forth the name, the sub-bid price of a sub-bidder, or the total sub-bids as long as the sub-bidder or sub-bidders designated are clearly identifiable, or (3) because the plans and specifications do not accompany the bid or are not submitted with the bid.

Section 44F. (1). Every contract subject to section forty-four A shall include specifications and, if deemed necessary or convenient by the awarding authority, plans, detailing all labor and materials to be furnished thereunder. Such specifications shall have a separate section for each of the following classes of work if in the estimate of the awarding authority such class of work will exceed ten thousand dollars; (a) roofing and flashing; (b) metal windows; (c) waterproofing, damp-proofing and calking; (d) miscellaneous and ornamental iron; (e) lathing and plastering; (f) acoustical tile; (g) marble; (h) tile; (i) terrazzo; (j) resilient floors; (k) glass and glazing; (l) painting; (m) plumbing; (n) heating, ventilating and air-conditioning; (o) electrical work, including direct electrical radiation for heating; (p) elevators; (q) masonry work; and (r) any other class of work for which the awarding authority deems it necessary or convenient to receive sub-bids, provided that the awarding

authority may, in addition, receive a combined sub-bid on the marble, tile and terrazzo work, but in that event, the marble, tile and terrazzo work shall each be a class of work for which the sub-bidder must list the information in a clearly designated place on the bid form for that purpose. Each separate section in the specifications prescribed or provided for by this paragraph shall state the time limit for filing sub-bids with the awarding authority, shall specify by number each sheet of plans showing work to be done by the subcontractor under such section, and shall require the subcontractor to install all materials to be furnished by him under such section other than materials which in the opinion of the awarding authority it is not customary under then current trade practices for such subcontractor to install and the installation of which is expressly required by another section of the specifications. Each class of work set forth in a separate section of the specifications pursuant to this section shall be a sub-trade designated in the appropriate category of the general bid form and shall be the matter of sub-contract made on the basis of sub-bids in accordance with the procedure set forth in sections forty-four F (1) - (5).

Each separate section of the specifications required by the provisions of this section shall contain a paragraph describing by class of work and by reference to paragraph numbers in that section, each class of work, if any, requiring labor and materials which, in the opinion of the awarding authority, based upon an investigation of the work involved, is customarily performed in that sub-trade under subcontract with a sub-bidder for that sub-trade, and which is estimated by the awarding authority to cost in excess of ten thousand dollars, and only each class of work so described shall be a class of work for which a sub-bidder for that sub-trade must list the information required in the appropriate place designated on the bid form for that purpose.

Every contract subject to section forty-four A shall include specifications for the installation of weather protection and shall require that the general contractor shall install the same and that he shall furnish adequate heat in the area so protected during the months of November through March. Standards for such specifications shall be established by the deputy commissioner of planning and operations in the executive office for administration and finance.

(2) Every sub-bid submitted in connection with a contract subject to section forty-four A for a sub-trade listed pursuant to this section shall be submitted on a form furnished by the awarding authority to every qualified person or entity applying,

therefor requiring the bidder to agree and certify: (a) that s/he will furnish all labor and materials required for completing all work specified in accordance with the plans and specifications made available by the awarding authority, for a specified contract price, subject to whatever additions and deductions are contained in the terms of the specification; (b) which addenda, if any shall be included in the bid; (c) that s/he will comply fully with all laws and regulations applicable to awards made subject to section forty-four F; (d) that s/he, if selected as a sub-bidder, will within five days, Saturdays, Sundays and legal holidays excluded, after presentation of a subcontract in accordance with the terms of this bid, and contingent upon the execution of the general contract, and if requested so to do in the general bid by such general bidder, who shall pay the premiums therefor, furnish a performance bond, quality bond as described in subsection (3) of section 44A of this act and payment bond of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority, in the full sum of the sub-contract price; (e) the names of all persons, firms and corporations furnishing to the sub-bidder labor or labor and materials for the class or classes or part thereof of work for which the provisions of the section of the specifications for this sub-trade require a listing (including the sub-bidder if customarily furnished by persons on his/her/its own payroll and in the absence of a contrary provision in the specifications), the name of each such class of work or part thereof and the bid price for each such class of work or part thereof; (f) that the listed bids to her/him represents bona fide bids based on the described plans, specifications and addenda and that, if the sub-bidder is awarded the contract, the sub-bidders so listed will be used for the work indicated at the amounts stated, if satisfactory to the awarding authority; (g) that s/he is bound to the general contractor by the terms of the described plans, specifications (including all general conditions stated therein) and addenda and to assume toward him all the obligations and responsibilities that he, by those documents assumes toward the owner; (h) that s/he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work.

Prior to or at the time of submission of a sub-bid, the awarding authority may require the subcontractor to furnish such information as is necessary to determine s/he's requirements of the plans and specifications.

(3) Every sub-bid in connection with a contract subject to section forty-four A for a sub-trade designated on the general bid form pursuant to section forty-four F(2) shall be for the

complete work of the sub-trade as specified, and shall be filed with the awarding authority, in a sealed envelope, before twelve o'clock noon at least four days, Saturdays, Sundays and legal holidays excluded, before the day fixed by the awarding authority for the opening of general bids, and forthwith after the time limit for the filing thereof shall be publicly opened and read by the awarding authority, which, within two days thereafter, Saturdays, Sundays and legal holidays excluded, shall reject every sub-bid which is not accompanied by a bid deposit as prescribed in sub-section (2) of section forty-four B, or which otherwise does not conform with sections forty-four A to forty-four H, inclusive, or which is on a form not completely filled in, or which is incomplete, conditional or obscure, or which contains any addition not called for; provided, however, that the failure of the awarding authority to reject such a sub-bid within such period shall not validate such a sub-bid not preclude the awarding authority from subsequently rejecting it. Not later than the second day, Saturdays, Sundays and legal holidays excluded, before the day fixed by the awarding authority for the opening of general bids, the awarding authority shall mail to every person on record as having taken a set of plans and specifications list of sub-bidders arranged by sub-trades and listing for each sub-trade the name, address and sub-bid price of every sub-bidder submitting a sub-bid thereon not rejected by the awarding authority and the general bidders excluded from using such sub-bid. A person shall not be named by a general bidder as a sub-bidder for a sub-trade on the general bid form unless such person is included for such sub-trade in said list. If a general bidder not excluded in said list from doing so names as a sub-bidder for a sub-trade on the general bid form a person included for such sub-trade in said list at the sub-bid price stated in said list, neither the general bid of such general bidder not the general contract executed on the basis of such general bid shall be invalid or rejected because of the invalidity of such sub-bid, or because of error in said list, nor shall such general bid be rejected nor shall such general contract be invalid because of any invalid action taken by the awarding authority in connection with any sub-bid or sub-bids; but there shall be substitution of sub-bidders and adjustment of contract price as if paragraph (c) of section forty-four F(4) were applicable. No sub-bid shall be rejected because of the failure to submit prices for or information relating to, any item or items for which no space is provided in the sub-bid form furnished by the awarding authority; but this sentence shall not be applicable to any failure to furnish prices or information required by section forty-four F to be furnished in the Form for Sub-Bid.

Every sub-bidder duly filing a sub-bid with the awarding authority as aforesaid shall be bound thereby to every general bidder not excluded therein from the use thereof; and any variance from such sub-bid communicated to a general bidder shall be of no effect.

A performance and payment bond furnished by the subcontractor, at the request of a general contractor set forth in the general bid form, shall be for the benefit of the general contractor; shall secure the performance of the subcontract by the subcontractor; and shall indemnify and hold harmless the general contractor and the surety or sureties under the labor and materials or payment bond furnished by such general contractor to the awarding authority against (1) any and all loss and expense arising out of any and all claims in connection with the performance of said subcontract which would be required to be paid under the labor and materials or payment bond furnished by the general contractor to the awarding authority and (2) attorneys' fees in the event that the subcontractor, after notice, fails to assume the defense of and defend such claims.

Each sub-bidder shall list the sub-bid form the name and bid price of each person, firm or corporation performing each class of work or part thereof for which the section of the specifications for that sub-trade requires such listing; provided that, in the absence of a contrary provision in the specifications, any sub-bidder may, without listing any bid price, list his own name for any such class of work or part thereof and perform that work with persons on his own payroll, if such sub-bidder, after sub-bid opening, shows to the satisfaction of the awarding authority, that he does customarily perform such class of work or the part thereof with persons on his own payroll and is qualified so to do.

(4)(a) If no sub-bid is filed for a sub-trade designated in the general bid form or if a rejection of all sub-bids for such a sub-trade occurs pursuant to section forty-four E(1) or section forty-four F(3) the awarding authority shall state, in an addendum issued with the list of sub-bidders required by section forty-four, the amount to be included by a general bidder on the general bid form for such sub-trade; and without in any way affecting other sub-bidders who have conformed to the prescribed bidding procedure, new sub-bids for such sub-trade shall be requested forthwith by written invitation to three or more qualified sub-bidders and shall be publicly opened and read by the awarding authority at a time and place to be specified in such invitation. The general contractor shall cause the work covered by such sub-trade to be done by the lowest responsible and eligible sub-bidder against whose standing and ability the

general contractor makes no objection or, if there is no such sub-bidder, by such sub-contractor against whose standing and ability the general contractor makes no objection and for such sum as the general contractor and the awarding authority may agree upon; and the contract price shall be adjusted by the difference between the sub-contract sum and the amount stated in the addendum. The general bidder shall include in the cost of his own work on the general bid form all expenses and profits on account of such adjustments.

(b) If, after the selection of the lowest responsible and eligible general bidder, it be decided to consider sub-bidders other than the ones named by such general bidder in his general bid, the awarding authority and such general bidder shall jointly consider all filed sub-bids not rejected under section forty-four F(3). Any agreement to substitute a sub-bid for the one named in the selected general bid shall result in an adjustment of the general bid price by the difference between the amount of the sub-bid originally named and the amount of the sub-bid substituted therefor. If by such substitutions the total adjusted general bid price of the general bidder first selected becomes greater than the original general bid price of the second lowest responsible and eligible general bidder, then the latter shall be selected and his sub-bidders similarly considered. If, by substitutions as hereinbefore provided, the total adjusted general bid price of the second selected general bidder becomes greater than the total adjusted general bid price of the general bidder first selected or greater than the original general bid price of the third lowest responsible and eligible general bidder, then the bidder having the lower of these two general bid prices shall be selected; provided, that if the third lowest responsible and eligible general bidder is selected, his sub-bidders shall be similarly considered. The general bidder finally selected by the aforementioned process of substitutions shall be the general bidder to whom the contract shall be awarded.

(c) If a selected sub-bidder fails, within five days, Saturdays, Sundays and legal holidays excluded, after presentation of a subcontract by the general bidder selected as the general contractor, to perform his agreement to execute a subcontract in the form hereinafter set forth with such general bidder, contingent upon the execution of the general contract, and, if requested so to do by such general bidder in the general bid, to furnish a performance and payment bond as stated in his sub-bid such general bidder and the awarding authority shall select, from the other sub-bids duly filed with the awarding authority for such sub-trade and not rejected under section forty-four H the lowest responsible and eligible sub-bidder at the amount

named in his sub-bid as so filed against whose standing and ability the general contractor makes no objection, and the contract price shall be adjusted by the difference between the amount of such sub-bid and the amount of the sub-bid of the delinquent sub-bidder.

The subcontract shall bear the form and contain the terms and conditions set forth by the deputy commissioner of capital planning and operations pursuant to section 40A of chapter 7 of the General Laws.

In the event that the contract between the general contractor and the awarding authority does not contain provisions granting to the awarding authority the right to terminate the general contract when the general contractor encounters financial difficulties or fails to make satisfactory progress, the general contractor may insert the following paragraph:

If the Subcontractor should be adjudged a bankrupt, or if he should make a general assignment for the benefit of his creditors, or if a receiver should be appointed on account of his insolvency, or if he should persistently or repeatedly refuse or should fail, except in cases for which extension of time is provided, to supply enough properly skilled workmen or proper materials, or if he should fail to make prompt payment to subcontractors or for material or labor, or persistently disregard laws, ordinances or the instructions of the Contractor, or otherwise be guilty of a substantial violation of any provision of the contract, then the Contractor may, without prejudice to any other right or remedy and after giving the Subcontractor and his surety, if any, seven days' written notice, terminate the employment of the Subcontractor and take possession of the premises and of all materials, tools and appliances thereon and finish the work by whatever method he may deem expedient. In such case the Subcontractor shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the contract price shall exceed the expense of finishing the work including compensation for additional architectural, managerial and administrative services, such excess shall be paid to the Subcontractor. If such expense shall exceed such unpaid balance, the Subcontractor shall pay the difference to the Contractor.

All sub-bidders when finally selected shall be notified in writing of their selection within forty-eight hours thereafter by the general bidder.

In each case of substitution of a sub-bidder for a sub-bidder listed in the general bid of the selected general contractor, the selected general contractor may require the substituted sub-bidder to furnish a performance and payment bond, and the

premiums for same shall be added to the general bidder's price for work to be performed by him except where the selected general contractor had indicated in his general bid that the original sub-bidder designated for that sub-trade, in which substitution was made, would be required to furnish such bond.

In the instances enumerated in paragraphs (1), (2) and (3) of this section, the general bidder's price for work to be performed by him shall also be adjusted by the amount of the change in the premium for the general contractor's performance bond and his labor and materials or payment bond caused by the substitution

(5) If a general bidder customarily performs with his own employees any sub-trade or sub-trades listed under the sub-bid category of the general bid form, he may submit a sub-bid on the sub-bid form prescribed by section forty-four F(2) and shall also submit under the appropriate sub-bid category of his general bid his name and amount for such sub-trade. A sub-bid so submitted by the general bidder selected as the lowest resepon-sible and eligible general bidder shall be considered on a par with sub-bids filed with the awarding authority by sub-bidders who customarily perform such sub-trade. No such sub-bid by a general bidder shall be considered, however, unless the general bidder can show, to the satisfaction of the awarding authority, that he does customarily perform such sub-trade, and is quali-fied to do the character of work required by the applicable section of the specifications.

Section 44G. (A) "Allowance" as used herein means a sum of money covering one or more items of labor or labor and materials which is designated in bid documents and which general bidders are required to use in computing their bids. The use of such allowances shall be prohibited in the award of any contract subject to the provisions of section forty-four A. Whenever the designer is unable to supply specifications for any item prior to the solicitation of bids, such item shall not be included in any contract subject to the provisions of section forty-four A. The awarding authority shall solicit bids for every such item separately pursuant to the provisions of section forty-four A after specifications for that item are prepared.

(B) Every alternate contained in the form for general bids shall be listed in a numerical sequence in order of priority. When the awarding authority decides to consider alternates in determining the lowest eligible and responsible bidder, the awarding authority shall consider the alternates in descending numerical sequence, such that no single alternate shall be con-sidered unless every alternate preceding it on the list has been added to or subtracted from the base bid price.

(C) The use of options other than alternates in bid documents

or bid forms subject to section forty-four A shall be prohibited under all circumstances.

(D) Every contract subject to section forty-four A shall include specifications for the installation of weather protection and shall require that the contractor shall install the same and that s/he shall furnish adequate heat in the area so protected during the months of November through March. Standards for such specifications shall be established by the deputy commissioner or his/her designee.

Section 44H. Except as otherwise provided by the provisions of sections forty-four A through H, inclusive, of this chapter, and of section four H of chapter seven, and except for the consideration and determination after contract award as to whether an item is equal to an item named or described in the specifications for a contract, the commissioner of labor and industries or his/her designee shall enforce sections forty-four A through forty-four H, inclusive, of this chapter and section thirty-nine M of chapter thirty. S/he shall have all necessary powers to require compliance therewith including the power to institute and prosecute proceedings in the superior court to restrain the award of contracts and the performance of contracts in all cases where, after investigation of the facts, s/he has made a finding that such award or performance has resulted in a violation, directly or indirectly, of the provisions of said sections forty-four A through forty-four H, inclusive, or of said section thirty-nine M and s/he shall not be required to pay the clerk of the court any entry fee in connection with the institution of any such proceeding.

Section 44I. If any provision of sections forty-four A to forty-four H, inclusive, or the application of such provision to any person or circumstance shall be held invalid or unconstitutional, the other provisions of said sections or the application of such provision to any person or circumstance other than that as to which it is held invalid or unconstitutional, shall not be affected thereby.

SECTION 60. Section 4H of chapter 7 of the General Laws as most recently amended by section 2 of chapter 393 of the acts of 1978 is hereby amended by inserting at the end of the second paragraph the following sentence:

Hearings officers responsible for adjudicating public construction contract disputes pursuant to section thirty-nine Q of chapter thirty shall in addition have had prior experience in construction law; such hearings officers may be hired either as regular employees of the division or on a consultant basis.

SECTION 61. Section 5 of chapter 16 of the General Laws as most recently amended by section 1 of chapter 605 and section 1

of chapter 606 of the acts of 1970 is hereby amended by striking out subsection (b) and inserting in place thereof the following:

(b) It shall act as a board of contract appeals and shall approve or disapprove all claims made under any contract with the department with the exception of claims subject to section thirty-nine Q of chapter thirty. To assist the commission in performing this function, the commissioner with the approval of the governor may appoint a person of legal training and experience, who shall be a member of the bar of the commonwealth, to the position of hearing examiner, and may remove him for cause in like manner. The hearing examiner shall devote his entire time during business hours to the duties of his position and said position, for salary purposes, shall be allocated to job group XXVI in the general salary schedule for the pay plan of the commonwealth established under section forty-six of chapter thirty. The department or commission may refer any dispute concerning contracts, contract specifications or the execution of contracts not subject to the aforesaid section thirty-nine Q of chapter thirty to the hearing examiner for a report of the matter including a recommendation as to the disposition of the dispute.

The hearing examiner shall hear all claims by contractors from determinations of the department with the exception of claims subject to section thirty-nine Q of chapter thirty; and shall, after hearing, render to the commission a report of the matter including a recommendation as to the disposition of the claim. Said examiner shall at the request of the contractor or of the department or on his own motion summon witnesses and require the production of books and records and take testimony under oath. Such reports shall be maintained as public records in a place and form fully accessible to the public. Any person aggrieved by a decision of the commission acting as a board of contract appeals may bring suit against the commonwealth for recovery of damages based on such claim under the provisions of chapter two hundred and fifty-eight.

SECTION 62. Chapter 30 of the General Laws is hereby amended by inserting after section 39P the following sections:

Section 39Q. (1) Every contract awarded by any state agency as defined by section thirty-nine A of chapter seven for the construction, reconstruction, alteration, remodeling, repair or demolition of any capital facility as defined by the aforesaid section thirty-nine A shall contain the following subparagraphs (a) through (d) in their entirety:

(a) Disputes regarding changes in and interpretations of the terms or scope of the contract and denials of or failures to act upon claims for payment for extra work or materials shall be resolved according to the following procedures, which shall

constitute the exclusive method for resolving such disputes. Written notice of the matter in dispute shall be submitted promptly by the claimant to the chief executive official of the state agency which awarded the contract or his/her designee. No person or business entity having a contract with a state agency shall delay, suspend, or curtail performance under that contract as a result of any dispute subject to this section. Any disputed order, decision or action by the agency or its authorized representative shall be fully performed or complied with pending resolution of the dispute.

(b) Within thirty days of submission of the dispute to the chief executive official of the state agency or his/her designee, s/he shall issue a written decision stating the reasons therefor, and shall notify the parties of their right of appeal under this section. If the official or his/her designee is unable to issue a decision within thirty days, s/he shall notify the parties to the dispute in writing of the reasons why a decision cannot be issued within thirty days and of the date by which the decision shall issue. Failure to issue a decision within the thirty-day period or within the additional time period specified in such written notice shall be deemed to constitute a denial of the claim and shall authorize resort to the appeal procedure described below. The decision of the chief executive official or his/her designee shall be final and conclusive unless an appeal is taken as provided below.

(c) Within twenty-one calendar days of the receipt of a written decision or of the failure to issue a decision as stated in the preceding subparagraph, any aggrieved party may file a notice of claim for an adjudicatory hearing with the division of hearing officers or if the amount in controvery exceeds ten thousand dollars in lieu of appealing the decision of the chief executive official, the aggrieved party may file an action directly in a court of competent jurisdiction and shall serve copies thereof upon all other parties in the form the manner prescribed by the rules governing the conduct of adjudicatory proceedings of the division of hearing officers. The appeal shall be referred to a hearing officer experienced in construction law and shall be prosecuted in accordance with the formal rules of procedure for the conduct of adjudicatory hearings of the division of hearing officers, except as provided below. The hearing officer shall issue a final decision as expeditiously as possible, but in no event more than one hundred and twenty calendar days after conclusion of the adjudicatory hearing, unless the decision is delayed by a request for extension of time for filing post-hearing briefs or other submissions assented to by all parties. Whenever, because an extension of time has been granted, the

hearing officer is unable to issue a decision within one hundred and twenty days, s/he shall notify all parties of the reasons for the delay and the date when the decision will issue. Failure to issue a decision within the one hundred and twenty-day period or within the additional period specified in such written notice shall give the petitioner the right to pursue any legal remedies available to him/her without further delay.

(d) When the amount in dispute is less than ten thousand dollars, a contractor who is party to the dispute may elect to submit the appeal to a hearing officer experienced in construction law for expedited hearing in accordance with the informal rules of practice and procedure of the division of hearing officers. An expedited hearing under this subparagraph shall be available at the sole option of the contractor. The hearing officer shall issue a decision no later than sixty days following the conclusion of any hearing conducted pursuant to this subparagraph. The hearing officer's decision shall be final and conclusive, and shall not be set aside except in cases of fraud.

(2) The commissioner of administration shall require the division of hearings officers to prepare annually a report concerning the construction contract claims submitted to the division during the preceding twelve months, in such form as the commissioner shall prescribe. The report shall contain, at a minimum, the following information: the number of claims submitted; the names of all parties to each such claim; a brief description of the claim: the date of submission and of disposition of the claim; its disposition, whether by settlement, withdrawal, default or written decision; and the number of claims currently pending. The original of the report shall be submitted to the commissioner of administration by January fifteenth, and a copy shall be filed with the state librarian and shall be a public document.

Section 39R. (a) The words defined herein shall have the meaning stated below whenever they appear in this section:

(1) "Contractor" means any person, corporation, partnership, joint venture, sole proprietorship, or other entity awarded a contract pursuant to section thirty-nine M of chapter thirty, sections forty-four A through H, inclusive, of chapter one hundred and forty-nine and sections thirty B through thirty P, inclusive, of chapter seven.

(2) "Contract" means any contract awarded or executed pursuant to sections thirty B through thirty P, inclusive, of chapter seven and any contract awarded or executed pursuant to section thirty-nine M of chapter thirty, or sections forty-four A through H, inclusive, of chapter one hundred and forty-nine, which is for an amount or estimated amount greater than one hundred thousand dollars.

(3) "Records" means books of original entry, accounts, checks, bank statements and all other banking documents, correspondence, memoranda, invoices, computer printouts, tapes, discs, papers and other documents or transcribed information of any type, whether expressed in ordinary or machine language.

(4) "Independent Certified Public Accountant" means a person duly registered in good standing and entitled to practice as a certified public accountant under the laws of the place of his/her residence or principal office and who is in fact independent. In determining whether an accountant is independent with respect to a particular person, appropriate consideration should be given to all relationships between the accountant and that person or any affiliate thereof. Determination of an accountant's independence shall not be confined to the relationships existing in connection with the filing of reports with the awarding authority.

(5) "Audit", when used in regard to financial statements, means an examination of records by an independent certified public accountant in accordance with generally accepted accounting principles and auditing standards for the purpose of expressing a certified opinion thereon, or, in the alternative, a qualified opinion or a declination to express an opinion for stated reasons.

(6) "Accountant's Report", when used in regard to financial statements, means a document in which an independent certified public accountant indicates the scope of the audit which s/he has made and sets forth his/her opinion regarding the financial statements taken as a whole with a listing of noted exceptions and qualifications, or an assertion to the effect that an overall opinion cannot be expressed. When an overall opinion cannot be expressed the reason therefor shall be stated. An accountant's report shall include as a part thereof a signed statement by the responsible corporate officer attesting that management has fully disclosed all material facts to the independent certified public accountant, and that the audited financial statement is a true and complete statement of the financial condition of the contractor.

(7) "Management", when used herein, means the chief executive officers, partners, principals or other person or persons primarily responsible for the financial and operational policies and practices of the contractor.

(8) Accounting terms, unless otherwise defined herein, shall have a meaning in accordance with generally accepted accounting principles and auditing standards.

(b) Subsection (a) (2) hereof notwithstanding, every agreement or contract awarded or executed pursuant to sections thirty B through thirty P, inclusive, of chapter seven, and pursuant to section thirty-nine M of chapter thirty or to section forty-four A through H, inclusive, of chapter one hundred and

forty-nine, shall provide that:

(1) The contractor shall make, and keep for at least six years after final payment, books, records, and accounts which in reasonable detail accurately and fairly reflect the transactions and dispositions of the contractor, and

(2) until the expiration of six years after final payment, the awarding authority, office of inspector general, and the deputy commissioner of capital planning and operations shall have the right to examine any books, documents, papers or records of the contractor or of his/her subcontractors that directly pertain to, and involve transactions relating to, the contractor or his/her subcontractors, and

(3) if the agreement is a contract as defined herein, the contractor shall describe any change in the method of maintaining records or recording transactions which materially affect any statements filed with the awarding authority, including in his/her description the date of the change and reasons therefor, and shall accompany said description with a letter from the contractor's independent certified public accountant approving or otherwise commenting on the changes, and

(4) if the agreement is a contract as defined herein, the contractor has filed a statement of management on internal accounting controls as set forth in paragraph (c) below prior to the execution of the contract, and

(5) if the agreement is a contract as defined herein, the contractor has filed prior to the execution of the contracts and will continue to file annually, an audited financial statement for the most recent completed fiscal year as set forth in paragraph (d) below.

(c) Every contractor awarded a contract shall file with the awarding authority a statement of management as to whether the system of internal accounting controls of the contractor and its subsidiaries reasonably assures that:

(1) transactions are executed in accordance with management's general and specific authorization;

(2) transactions are recorded as necessary

i. to permit preparation of financial statements in conformity with generally accepted accounting principles, and

ii. to maintain accountability for assets;

(3) access to assets is permitted only in accordance with management's general or specific authorization; and

(4) the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action was taken with respect to any difference.

Every contractor awarded a contract shall also file with the awarding authority a statement prepared and signed by an

independent certified public accountant, stating that s/he has examined the statement of management on internal accounting controls, and expessing an opinion as to

(1) whether the representations of management in response to this paragraph and paragraph (b) above are consistent with the result of management's evaluation of the system of internal accounting controls; and

(2) whether such representations of management are, in addition, reasonable with respect to transactions and assets in amounts which would be material when measured in relation to the applicant's financial statements.

(d) Every contractor awarded a contract by the commonwealth or by any political subdivision thereof shall annually file with the awarding authority during the term of the contract a financial statement prepared by an independent certified public accountant on the basis of an audit by such accountant. The final statement filed shall include the date of final payment. All statements shall be accompanied by an accountant's report.

(e) The office of inspector general, the deputy commissioner for capital planning and operations and any other awarding authority shall enforce the provisions of this section. The deputy commissioner of capital planning and operations may after providing an opportunity for the inspector general and other interested parties to comment, promulgate pursuant to the provisions of chapter thirty A such rules, regulations and guidelines as are necessary to effectuate the purposes of this section. Such rules, regulations and guidelines may be applicable to all awarding authorities. A contractor's failure to satisfy any of the requirements of this section may be grounds for disqualification pursuant to section forty-four C of chapter one hundred and forty-nine.

SECTION 63. The second paragraph of section 4 of chapter 7 of the General Laws, as appearing in section 4 of chapter 704 of the acts of 1969, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- He shall inquire into the business affairs of the commonwealth and the laws governing them; shall supervise program planning and the co-ordination of the activities and programs of the commonwealth in its dealings with the federal government; shall review and report to the governor and the general court on all proposed legislation affecting the organization, structure, efficiency and administrative functions, services, procedures and practices of the departments, commissions, offices, boards, divisions, institutions and other agencies, or any of them, under the executive department of the government of the commonwealth; shall conduct studies of the operations of the said agencies with

a view to effecting improvements in administrative organization, procedures, and practices and to promote economy, efficiency, and avoiding of useless labor and expenses in the said agencies; shall, subject to the approval of the governor and council, make rules, regulations and orders which shall regulate and govern the manner and method of the distribution and disposition of audit reports from the department of the state auditor and the joint legislative committee on post audit and oversight to all public agencies which are the subjects of such audit reports; such rules, regulations and orders shall include, but not be limited to the following:

(1) the responsibility of the appropriate secretariat in reviewing the audit reports;

(2) the responsibility of the head of the audited agency to act upon audit findings and to make an appropriate response to the responsible secretariat, the executive office of administration and finance and the auditing agency;

(3) the responsibility of the executive office for administration and finance; such rules and regulations must be approved by the legislative committee on state administration; shall from time to time recommend to the governor and the general court such changes as he shall deem desirable in the laws relating to the organization, procedures and practices of any such agency or agencies; and shall have such other powers and duties as shall be assigned to him by statute and may from time to time be assigned to him by the governor in accordance with law.

SECTION 64. All officers and employees below the rank of director and deputy director of the bureau of building construction and all officers and employees of bureau of state buildings who immediately prior to the effective date of this act hold positions classified under chapter thirty-one of the General Laws or who have tenure in their positions by reason of section nine A of chapter thirty of the General Laws are hereby transferred to the services of the offices, divisions, bureaus, sections, and other administrative units of the division of capital planning and operations which are established by this act or shall be established in accordance with this act or to the services of an office division, bureau, department, section or commission of the commonwealth which is concerned with the administration of capital facility projects. Every such transfer shall be without impairment of civil service status, seniority, retirement and other rights and without interruption of service within the meaning of said chapter thirty-one and without reduction in compensation and salary grade, notwithstanding any change in title or duties resulting from such transfer. All officers and employees below the rank of director or deputy director of the

bureau of building construction and all officers and employees of bureau of state buildings who immediately prior to the effective date of this act do not hold positions classified under chapter thirty-one nor have tenure in their positions by reason of section nine A of chapter thirty are hereby transferred to the services of offices, the divisions, bureaus, sections or other administrative units within the division of capital planning and operations or to the services of an office, division, bureau, section or other administrative unit of any state agency, board, bureau, department, division, section, or commission of the commonwealth which is concerned with the administration of capital facility projects without interruption of service within the meaning of section nine A of chapter thirty and without reduction in compensation and salary grade, notwithstanding any change in title or duties resulting from such transfer.

All collective bargaining agreements covering any of the aforementioned employees which are in effect immediately prior to the effective date of this act shall continue in full force and effect in accordance with law.

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 reduction of salary, transfer, reassignment, suspension, discharge, layoff or abolition of position not prohibited prior to said effective date.

SECTION 65. The bureau of building construction and bureau of state buildings are hereby abolished.

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 or maintained for the use of the bureau of building construction and the bureau of state buildings which relate to or are maintained for the purpose of the exercise of the powers or the performance of the duties of the said bureaus are hereby transferred to the division of capital planning and operations and to the offices, divisions, bureaus, sections, or other administrative units established thereunder by the provisions of this act. All questions regarding the identification of such books, papers, records, equipment, lands, interests in land, buildings, facilities and other property and of the offices, divisions, bureaus, sections or other administrative units to which they are so transferred shall be determined by the deputy commissioner of capital planning and operations.

All monies heretofore appropriated for the bureau of building construction and the bureau of state buildings and remaining unexpended on the effective date of this act are hereby transferred to, and shall be available for expenditure by, the division

of capital planning and operations and the offices, divisions, bureaus, sections and other administrative units established thereunder by this act for the purpose of the exercise of the powers and the performance of the duties for which such monies were appropriated. All questions regarding the identification of such monies and of the offices, divisions, bureaus, sections or administrative units to which they are so transferrred shall be determined by the deputy commissioner of capital planning and operations.

All duly existing contracts, leases and obligations of the bureau of building construction and the bureau of state buildings which are in force immediately prior to the effective date of this act, shall be performed by the division of capital planning and operations and the divisions, bureaus, sections and other administrative units established thereunder by this act, in accordance with law. This provision shall not affect any renewal provision or option to renew contained in any such lease in existence on the effective date of this act. All questions regarding the identification of such contracts, leases, and obligations and of the offices, divisions, bureaus, sections or administrative units to which the performance thereof is so transferred shall be determined by the deputy commissioner of capital planning and operations.

Any petitions, hearings and other proceedings duly begun by the bureau of building construction or the bureau of state buildings or by any official or agent thereof shall continue unabated and remain in full force and effect notwithstanding the passage of this act, and shall thereafter be completed before or by the division of capital planning and operations or by an office, division, bureau, section or administrative unit established thereunder or by any official or agent thereof in accordance with law.

All orders, rules and regulations duly made, and all licenses, permits, certificates and approvals duly granted by the bureau of building construction or the bureau of state buildings or by any official or agent thereof shall remain in full force and effect until superseded, revised, rescinded or cancelled in accordance with law.

SECTION 66. The act shall take effect on July first, nineteen hundred and eighty-one.

SECTION 67. Chapter 266 of the General Laws is hereby amended by inserting after section 67B the following section:-

Section 67C. Any person who knowingly and wilfully, directly or indirectly makes, or knowingly and wilfully causes to be made, a false entry or omission of a true entry in any books, record or account subject to the provisions of section thirty-

nine R of chapter thirty shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the state prison for not more than five years, or in the house of correction for not more than two years, or both.

Approved July 17, 1981.

RESOLVES

Chap. 1. RESOLVE FURTHER AUTHORIZING EXPENDITURES AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION RELATIVE TO PREPARING PLANS FOR THE OBSERVANCE BY THE COMMONWEALTH OF THE TWO HUNDREDTH ANNIVERSARY OF THE ESTABLISHMENT OF THE CONSTITUTION OF THE COMMONWEALTH.

Resolved, That the special commission established by chapter twelve of the resolves of nineteen hundred and seventy-eight, in addition to expending funds for devising plans and programs for the observance by the commonwealth of the two hundredth anniversary of the establishment of the constitution of the commonwealth, may expend funds to implement such plans and programs, accept donations, and, notwithstanding the provisions of chapters twenty-nine, thirty and one hundred and forty-nine of the General Laws, may enter into contracts for the design, leasing, improvement, construction, rehabilitation and maintenance of equipment, and for other expenses, including commemoratory items, which are deemed necessary for the proper implementation of such plans and programs.

Approved March 27, 1980.

Chap. 2. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EVALUATION AND REORGANIZATION OF PUBLIC HIGHER EDUCATION IN THE COMMONWEALTH.

Resolved, That the special commission established by chapter nine of the resolves of nineteen hundred and seventy-nine is hereby revived and continued.

Approved May 2, 1980.

Chap. 3. 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 ninety-seven of the resolves of nineteen hundred and sixty-eight, chapter nineteen of the resolves of nineteen hun-

dred and seventy, chapter six of the resolves of nineteen hundred and seventy-two, chapters sixty-three, ninety-eight, one hundred and thirty-six and one hundred and fifty-seven of the resolves of nineteen hundred and seventy-three, chapter fifty-two of the resolves of nineteen hundred and seventy-four, chapters fifty-eight and sixty-five of the resolves of nineteen hundred and seventy-five, chapter four of the resolves of nineteen hundred and seventy-six, chapters thirteen, sixteen, eighteen, twenty-four, twenty-seven, thirty-three, thirty-six and thirty-nine of the resolves of nineteen hundred and seventy-seven, chapter twenty-three of the resolves of nineteen hundred and seventy-eight, chapters nine, ten and eighteen of the resolves of nineteen hundred and seventy-nine, section eleven of chapter fifteen of the acts of nineteen hundred and seventy-nine, sections fifty-six and fifty-seven of chapter three hundred and ninety-three and section four of chapter seven hundred and four of the acts of nineteen hundred and seventy-nine are hereby revived and continued.

Approved July 1, 1980.

Chap. 4. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CURRENT LOCAL AID DISTRIBUTION FORMULA IN ORDER TO DETERMINE IF SAID FORMULAS PROVIDE A FAIR AND EQUITABLE DISTRIBUTION TO THE CITIES AND TOWNS.

Resolved, That a special commission, to consist of three members of the senate, seven 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 various local aid distribution formulas in order to determine if said formulas provide a fair and equitable distribution of funds to cities and towns.

Approved July 7, 1980.

Chap. 5. RESOLVE IN FAVOR OF SONIA DETTMANN.

Resolved, That for the purpose of discharging a moral obligation
of the commonwealth, and after an appropriation has been made, there shall be allowed and paid out of the state treasury to Sonia Dettmann of Middlesex county, the sum of thirteen thousand three hundred and twenty-eight dollars and fifty-nine cents

with interest at the rate of eight per cent per annum in full settlement and satisfaction of an execution issued by the United States District Court for the District of Massachusetts on a judgment issued February first, nineteen hundred and seventy-nine to said Sonia Dettmann in a civil rights action against Joseph Williams and Peter Agnes for personal injuries sustained by her resulting from a deprivation of her rights under the Fourth Amendment of the Constitution of the United States which occurred on October twenty-third, nineteen hundred and seventy-three at 105 Chestnut street in the city of Cambridge in said county, while the said Joseph Williams and Peter Agnes were in the performance of their official duties as employees of the commonwealth.

Approved July 11, 1980

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING AN ENERGY LIAISON COMMITTEE TO DEVELOP A JOINT ENERGY STRATEGY WITH THE CANADIAN GOVERNMENT.

Resolved, That a special commission to consist of two members of the senate, four members of the house of representatives, the secretary of energy resources or his designee, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to establishing a standing energy liaison committee to discuss and develop a joint energy strategy with the Canadian government in order to increase the available energy supply and otherwise explore methods to reduce the reliance by the Northeast region on foreign suppliers.

Approved July 11, 1980

Chap. 7. RESOLVE AUTHORIZING THE STATE TREASURER TO PAY TO THE WALSH CONTRACTING CORP. FOR CERTAIN CONSTRUCTION WORK COMPLETED AT THE MASSACHUSETTS CORRECTIONAL INSTITUTE AT BRIDGEWATER.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and after an appropriation has been made therefor, there shall be paid out of the state treasury the sum of three thousand seven hundred and eleven dollars to the Walsh Contracting Corp. of the city of Attleboro as reimburse-

ment for certain water supply and distribution work at the Massachusetts Correctional Institution at Bridgewater, said work accepted by the bureau of building construction on December thirtieth, nineteen hundred and seventy-six.

Approved June 14, 1980.

Chap. 8. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO PREPARING A DEVELOPMENT PROGRAM FOR BOSTON HARBOR.

Resolved, That the membership of the special commission, established by chapter twenty-five of the resolves of nineteen hundred and seventy-nine, is hereby increased by one member of the senate and one member of the house of representatives.

Approved July 15, 1980.

Chap. 9. RESOLVE IN FAVOR OF FRANK A. OCCHIPINTI.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury to Frank A. Occhipinti the sum of twenty-four thousand seven hundred and eighty-four dollars and eighty-one cents, the total salary the said Frank A. Occhipinti would have received as an investigator employed by the board of registration of real estate brokers and salesmen during the period from July first, nineteen hundred and seventy-five to June thirtieth, nineteen hundred and seventy-seven, during which period his said employment had been unlawfully terminated until his reinstatement on said June thirtieth, nineteen hundred and seventy-seven by a decision and order of the Massachusetts Commission Against Discrimination.

Approved July 16, 1980.

Chap. 10. RESOLVE IN FAVOR OF CONSTANCE STOCKWELL, AN EMPLOYEE OF THE UNIVERSITY OF MASSACHUSETTS.

Resolved, The purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there shall be allowed and paid from the state treasury to Constance Stockwell, an employee of the University of Massachusetts who shall terminate

her employment due to an advanced case of myotropic lateral schlerosis, in an amount equal to that received by a state employee on an ordinary disability retirement under the provisions of Option (a) of subsection 2 of section six of chapter thirty-two of the General Laws from the date of her termination of employment for as long as she shall live.

Approved July 16, 1980.

NUMBER OF ACTS & RESOLVES APPROVED, APPROVAL WITHELD & ACTS DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The General Court during its second session held in 1980 passed 579 Acts & 10 Resolves of which 574 Acts and 10 Resolves received executive approval. 4 Acts from which executive approval was withheld became law by virtue of Chapter 1, Section 1, Article II of the Constitution of the Commonwealth.

Four (4) Acts entitled, respectively, "An Act authorizing the Chief Probation Officer of the District Court of Marlborough to adjust his books on account of a loss of money from his office." (Chapter 9); "An Act permitting the licensing of dogs without a certificate of innoculation for rabies." (Chapter 100); "An Act exempting certain energy costs from the limitations on property tax leview & expenditures of cities, towns, & other local governmental units dependt on the property tax." (Chapter 206); & "An Act allowing Dan G. Molloy, a legally blind person, to be registered as a funeral director." (Chapter 239) 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 prorogued in the meantime, said Acts have the force of law, under provisions of the Constitution governing such cases & have been so certified.

Fourteen (14) Acts, Chapters, 75, 133, 213, 217, 241, 349, 383, 400, 452, 459, 511, 513, 520 & 561 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.

Eighteen (18) Acts, having been passed by General Court & the General Court having prorogued, failed to become effective as they did not receive executive approval within ten days.

The General Court was prorogued on Saturday, July 5, 1980, at seven o'clock & nineteen minutes, A.M., the session having occupied 187 days.

PROPOSALS FOR LEGISLATIVE AMENDMENTS TO THE CONSTITUTION

PASSED BY THE

GENERAL COURT OF MASSACHUSETTS

at an

EXTRA SESSION

1980

Convened on Monday, the Seventeenth Day of November, 1980
and Prorogued on Thursday the Twentieth Day
of November, 1980.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred And Eighty

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROHIBITING DISCRIMINATION AGAINST HANDICAPPED PERSONS.

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 following:)

ARTICLE OF AMENDMENT.

ART. . No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program or activity within the commonwealth.

IN JOINT SESSION, September 7, 1977.

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, May 28, 1980.

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 Eighty

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION REVISING THE PROCEDURE BY WHICH THE GENERAL COURT ADOPTS EMERGENCY MEASURES.

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 following:)

ARTICLE OF AMENDMENT.

ART. . Article XLVIII of the Amendments to the Constitution is hereby amended by striking out, in that part entitled "II. Emergency Measurers.", under the heading 'The Referendum', the words "A separate vote, which shall be recorded, shall be taken on the preamble, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law. Upon the request of two members of the Senate or of five members of the House of Representatives, the vote on the preamble in such branch shall be taken by call of the yeas and nays" and substituting the following:- A separate vote shall be taken on the preamble in each branch. Said vote may be determined by voice vote; provided, however, upon the request of two members of the senate or of five members of the house of representatives, the vote on the preamble in such branch shall be taken by call of the yeas and nays and unless the preamble is adopted by two-thirds of the members of such branch voting thereon the law shall not be an emergency law.

IN JOINT SESSION, September 7, 1977.

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 19, 1980.

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 Eighty

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO IMPOSING ADDITIONAL EXPENDITURES UPON TWO OR MORE CITIES OR TOWNS.

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 following:)

ARTICLE OF AMENDMENT.

ART. . No law imposing additional costs upon two or more cities or towns by the regulation of the compensation, hours, status, conditions or benefits of municipal employment shall be effective in any city or town until such law is accepted by vote or by the appropriation of money for such purposes, in the case of a city, by the city council in accordance with its charter, and in the case of a town, by a town meeting or town council, unless such law has been enacted by a two-thirds vote of each house of the general court present and voting thereon, or unless the general court, at the same session in which such law is enacted, has provided for the assumption by the commonwealth of such additional cost.

IN JOINT SESSION, November 30, 1977.

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 18, 1980.

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.

AMENDMENT OF THE CONSTITUTION

1980

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and seventy-seven, and by the Legislature of the political year one thousand nine hundred and eighty, agreeably to the provisions of the Constitution, and approved by the People on the fourth day of November in the year one thousand nine hundred and eighty.

ONE HUNDRED AND FOURTEENTH ARTICLE OF AMENDMENT

ART. CXIV. No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program or activity within the commonwealth.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

December 4, 1980.

I hereby certify that the foregoing is the One Hundred and Fourteenth Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Elections held on the fourth day of November, in the year one thousand nine hundred and eighty, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

MICHAEL JOSEPH CONNOLLY,
Secretary of State.

AMENDMENT OF THE CONSTITUTION

1980

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and seventy-seven, and by the Legislature of the political year one thousand nine hundred and eighty, agreeably to the provisions of the Constitution, and approved by the People on the fourth day of November in the year one thousand nine hundred and eighty.

ONE HUNDRED AND FIFTEENTH ARTICLE OF AMENDMENT

ART. CXV. No law imposing additional costs upon two or more cities or towns by the regulation of the compensation, hours, status, conditions or benefits of municipal employment shall be effective in any city or town until such law is accepted by vote or by the appropriation of money for such purposes, in the case of a city, by the city council in accordance with its charter, and in the case of a town, by a town meeting or town council, unless such law has been enacted by a two-thirds vote of each house of the general court present and voting thereon, or unless the general court, at the same session in which such law is enacted, has provided for the assumption by the commonwealth of such additional cost.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

December 4, 1980.

I hereby certify that the foregoing is the One Hundred and Fifteenth Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the fourth day of November, in the year one thousand nine hundred and eighty, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

MICHAEL JOSEPH CONNOLLY,
Secretary of State.

Chap. 580. AN ACT LIMITING STATE AND LOCAL TAXATION AND EXPENDITURES.

Be it enacted by the People and by their authority:

SECTION 1. Chapter 59 of the General Laws is hereby amended by inserting after Section 21B the following new section:

SECTION 21C (1) The total taxes assessed under any provision of this chapter by the commonwealth or by any city, town, county, district, authority or other governmental entity upon real estate and personal property as defined in this chapter shall not, in any fiscal year, exceed two and one-half percent of the full and fair cash valuation thereof unless, at a biennial general election or at a general election called by the general court for the first Tuesday after the first Monday in November in a year in which a biennial general election is not held, not less than two-thirds of the persons voting on the question shall vote "Yes" to the following question:

Shall the present (two and one-half percent or such other percent as shall then be in effect pursuant to this Section) limit on the assessment of real estate and personal property taxes with respect to this city (or town) be increased to _____ percent for the fiscal year ____?

YES ☐ NO ☐

(2) Notwithstanding the provisions of sub-section (1), if in any city or town the total taxes assessed upon real estate and personal property as defined in this chapter shall exceed two and one-half percent of the full and fair cash valuation thereof on the effective date of the enactment of this section, the total taxes so assessed shall be reduced annually by not less than fifteen percent of such total for each successive fiscal year until the total taxes so assessed shall not exceed the said two and one-half percent.

(3) Notwithstanding the provisions of sub-section (1), if in any city or town the total taxes assessed upon real estate and personal property as defined in this chapter in the fiscal year 1979 were less than two and one-half percent of the full and fair cash valuation thereof in such fiscal year, that lesser percentage shall be the maximum percentage of full and fair cash valuation at which such total taxes may be assessed under section one and if between the fiscal year 1979 and the effective date of the enactment of this section the total taxes so assessed shall have increased above the said lesser percentage, the total taxes so assessed shall be reduced annually by not less than fifteen percent of such total for each successive fiscal year until the total taxes so assessed shall not exceed the said lesser percentage.

(4) Notwithstanding the provisions of sections (1), (2) and (3), the total taxes assessed by the commonwealth or by any city, town, county, district, authority or other governmental entity upon real estate and personal property as defined in this chapter shall not, in any fiscal year, with respect to any city or town, exceed the total taxes so assessed in the preceding fiscal year by more than two and one-half percent unless, at a biennial general election or at a general election which shall be called by the general court for the first Tuesday after the first Monday in November in a year in which a biennial general election is not held, not less than two-thirds of the persons voting on the question shall vote "Yes" to the following question:

Shall the total taxes assessed on real estate and personal property with respect to this city (or town) in the fiscal year _____ be increased by _____ percent of the total taxes so assessed in the preceding fiscal year rather than by the present two and one-half percent limit on such increase?

YES [ ] NO [ ]

(5) If the legislative body of any city or town shall so vote, or if the people by local initiative procedure shall so require, there shall appear on the ballot for such city or town at a biennial general election or at an election which shall be called for the first Tuesday after the first Monday in November in a year in which a biennial election is not held, the following question:

Shall the present (two and one-half percent or such other percent as shall then be in effect pursuant to this Section) limit on the assessment of real estate and personal property taxes with respect to this city or town be decreased to _____ percent for the fiscal year _____ ?

YES [ ] NO [ ]

If a majority of the persons voting on the question shall vote "Yes" the limit on total taxes assessed as set forth in sub-section (1) shall be decreased to the percentage so voted for that fiscal year.

SECTION 2. Chapter 29 of the General Laws is hereby amended by inserting after section 27B the following new section:-

SECTION 27C. Notwithstanding any provision of any special or general law to the contrary:

(a) Any law imposing any direct service or cost obligation upon any city or town shall be effective in any city or town only if such law is accepted by vote or by the appropriation of money for such purposes, in the case of a city by the city council in accordance with its charter, and in the case of a town by a town meeting, unless the general court, at the same session in which such law is enacted, provides, by general law and by appropriation, for the assumption by the commonwealth of such cost, ex-

clusive of incidental local administration expenses and unless the general court provides by appropriation in each successive year for such assumption.

(b) Any law granting or increasing exemptions from local taxation shall be effective in any city or town only if the general court, at the same session in which such law is enacted, provides by general law and by appropriation for payment by the commonwealth to each city and town of any loss of taxes resulting from such exemption.

(c) Any administrative rule or regulation which shall result in the imposition of additional costs upon any city or town shall not be effective until the general court has provided by general law and by appropriation for the assumption by the commonwealth of such cost, exclusive of incidental local administration expenses, and unless the general court provides by appropriation in each successive year for such assumption.

(d) Any city or town, any committee of the general court, and either house of the general court by a majority vote of its members, may submit written notice to the division of local mandates, established under section six of chapter eleven of the general laws, requesting that the division determine whether the costs imposed by the commonwealth by any law, rule or regulation subject to the provisions of this section have been paid in full by the commonwealth in the preceding year and, if not, the amount of any deficiency in such payments. The division shall make public its determination within sixty days after such notice.

(e) Any city or town, or any ten taxable inhabitants of any city or town may in a class action suit petition the superior court alleging that under the provisions of subsections (a), (b) and (c) of this section with respect to a general or special law or rule or regulation of any administrative agency of the commonwealth under which any city or town is required to expend funds in anticipation of reimbursemnt by the commonwealth, the amount necessary for such reimbursement has not been included in the general or any special appropriation bill for any year. Any city or town, or any ten taxable inhabitants of any city or town may in a class action suit petition the superior court alleging that under the provisions of subsections (a), (b) and (c) of this section with respect to any general or special law, or rule or regulation of any administrative agency of the Commonwealth which imposes additional costs on any city or town or which grants or increases exemptions from local taxation, the amount necessary to reimburse such city or town has not been included in the general or any special appropriation bill for any year. The determination of the amount of deficiency provided

by the division of local mandates under subsection (d) of this section shall be prima facie evidence of the amount necessary. The superior court shall determine the amount of the deficiency, if any, and shall order that the said city or town be exempt from such general or special law, or rule or regulation of any administrative agency until the commonwealth shall reimburse such city or town the amount of said deficiency or additional costs or shall repeal such exemption from local taxation.

(f) Any of the parties permitted to submit written notice to the division of local mandates under subsection (d) of this section may submit written notice to the division requesting that the division determine the total annual financial effect for a period of not less than three years of any proposed law or rule or regulation of any administrative agency of the commonweatlth. The division shall make public its determination within sixty days of such notice.

The provisions of this section shall not apply to any costs to cities and towns or exemptions to local taxation resulting from a decision of any court of competent jurisdiction, or to any law, rule or regulation enacted or promulgated as a direct result of such a decision.

SECTION 3. Chapter 11 of the General Laws is hereby amended by striking out section 6 and inserting in place thereof the following section:-

Section 6. The state auditor may appoint and remove such employees as the work of the department may require. Said employees shall be organized in five divisions, namely, the division of state audits, the division of authority audits, the division of federal audits, the division of contract audits and the division of local mandates. The state auditor shall establish the salaries, duties and personnel regulations of all officers and employees within the department of the state auditor; provided, however, that the salaries of said officers and employees shall not exceed the sum annually appropriated therefor by the general court. The provisions of sections nine A and forty-five of chapter thirty, chapter thirty-one and chapter one hundred and fifty E shall not apply to officers and employees within the department of the state auditor.

SECTION 4. Chapter 11 of the General Laws is hereby amended by inserting after section 6A the following new section:-

Section 7. The division of local mandates, as provided for in section six of this chapter, shall have the responsibility of determining to the best of its ability and in a timely manner the estimated and actual financial effects on each city and town of laws, and rules and regulations of administrative agencies of the Commonwealth either proposed or in effect, as required under

section twenty-seven C of chapter twenty-nine of the general laws.

The division shall have the power to require the chief officer of any appropriate administrative agency of the commonwealth to supply in a timely manner any information determined by the division to be necessary in the determination of local financial effects under said section twenty-seven C. The chief officer shall convey the requested information to the division with a signed statement to the effect that the information is accurate and complete to the best of his ability.

The division, when requested under the provisions of subsections (d) and (f) of said section twenty-seven C, shall update its determination of financial effects based on either actual cost figures or improved estimates or both.

SECTION 5. Chapter 4 of the General Laws is hereby amended by inserting after section 4A the following section:

Section 4B. At any time after the expiration of three years from the date on which any optional provision of the General Laws has been accepted in any city or town, whether by official ballot, by bylaw, by ordinance or by vote of the legislative body of the city or town, or by vote of the board of selectmen or school committee of a town, the revocation of such acceptance of any optional provision of the General Laws may be effected in the same manner as was the original vote to accept the said provisions, but such revocation shall be subject to the following restrictions:

(a) This section shall not apply if the optional provision contains, within itself, another manner of revocation.

(b) This section shall not apply to any optional provision which authorizes, but does not require, the city or town to act.

(c) This section shall not apply to any action taken under chapter thirty-two or thirty-two B of the General Laws.

(d) This section shall not apply to any action taken to establish a regional district, authority or other entity which involves another city, town, district or other governmental entity.

(e) This section shall not affect any contractual or civil service rights which have come into existence between the city or town and any officer or employee thereof as a result of the original acceptance of any optional provision of the General Laws, provided, however, such revocation shall apply to the successor to the incumbent officer or employee.

(f) If a petition signed by five percent or more of the registered voters of a city or town is filed in the office of the city or town clerk within sixty days following a vote other than a vote taken by voters on an official ballot to revoke the acceptance of any optional provision of the General Laws, request-

ing that the revoking of such acceptance be submitted as a question to the voters of such city or town, said vote to revoke shall be suspended from taking effect until such question is determined by vote of the registered voters voting thereon at the next regular city or town election, or if the city council or board of selectmen or other authority charged with calling elections shall so direct, at a special election called for that purpose. Petitions filed requesting the placement of the question or revocation on the ballot for determination by the voters shall be substantially in conformity with the provisions of the law governing the signing of nomination papers for city or town officers, as to the identification and certification of names thereon, and submission to the registrars thereof. A brief summary of the relevant section or sections of the General Laws shall also appear on the official ballot. If such revocation is favored by a majority of the voters voting thereon, the acceptance of said optional law shall be revoked and it shall become null and void beginning with the first day of the month next following said vote of revocation. The question to be placed on a ballot shall be essentially as follows:

Shall the acceptance by _____(City, Town) of section(s) _____ of chapter _____ of the General Laws be revoked?

YES ☐ NO ☐

If, on the sixty-first day following the date a vote has been taken to revoke the acceptance of an optional provision of the General Laws, and no petition as aforesaid has been filed, the vote to revoke shall become effective forthwith.

SECTION 6. Chapter 71 of the general laws is hereby amended by striking out in Section 16B, as most recently amended by chapter 823 of the Acts of 1977, the last two sentences.

SECTION 7. Chapter 71 of the General Laws is hereby amended by striking out Section 34, as most recently amended by Chapter 194 of the Acts of 1979, and inserting in place thereof the following:

SECTION 34 Every city and town shall annually provide an amount of money sufficient for the support of the public schools as required by this chapter, provided however, that no city or town shall be required to provide more money for the support of the public schools than is appropriated by vote of the legislative body of the city or town.

SECTION 8. Section 23C of Chapter 59 of the General Laws is hereby amended by striking out in the third paragraph the words "and any penalty required to be raised under the provisions of Section 34 of Chapter 71."

SECTION 9. Section 1 of Chapter 60A of the General Laws, as most recently amended by Section 87 of Chapter 514 of the Acts of 1978, is hereby further amended by striking out in the first sentence the words "except that no rate fixed hereunder shall be in excess of sixty-six dollars per thousand of valuation" and inserting in place thereof the following:- except that no rate fixed hereunder shall be in excess of twenty-five dollars per thousand of valuation as determined by the valuation formula in effect in the year nineteen hundred and seventy-nine.

SECTION 10. Section 4 of Chapter 1078 of the Acts of 1973, as most recently amended by Chapter 154 of the Acts of 1979, is hereby repealed.

SECTION 11. Section 3 of Chapter 72 of the General Laws, as most recently amended by Chapter 599 of the Acts of 1977, is hereby further amended by adding after Part B (8) the following new sub-paragraph:

(9) In the case of an individual who rents his principal place of residence in the Commonwealth, an amount equal to fifty per-cent of such rent.

SECTION 12. Chapter 59 of the General Laws is hereby amended by adding after section 20 the following section:-

SECTION 20A No county, district, public authority or other governmental entity authorized by law to assess costs, charges or fees upon cities or towns may increase the total of such costs, charges or fees with respect to any city or town in any fiscal year by more than four percent over the total of such costs, charges or fees for such city or town for the preceding fiscal year. No city, town, county, district, public authority or other governmental entity shall make any charge or impose any fee for goods provided or services rendered in excess of the cost of furnishing such goods or providing such services.

SECTION 13. The provisions of this act are severable, and if any of its provisions or an application thereof 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 or other applications thereof.

OFFICE OF THE SECRETARY, Boston, December 4, 1980.

I hereby certify that the foregoing law entitled "AN ACT LIMITING STATE AND LOCAL TAXATION AND EXPENDITURES," was approved by the People at the State Election held on November 4, 1980, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, as amended by Article LXXIV of said Amendments.

MICHAEL JOSEPH CONNOLLY,
Secretary of State.

AN ACT

PASSED BY THE

GENERAL COURT OF MASSACHUSETTS

at the

SECOND EXTRA SESSION

1980

Convened on Monday, the Seventeenth Day of December, 1980
and Prorogued on Sunday the Seventh Day of
December, 1980.

Chap. 581. AN ACT RELATIVE TO THE STRUCTURE OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section ninety-one A of chapter one hundred and sixty-one of the General Laws is hereby repealed.

SECTION 2. Section 3 of chapter 161A of the General Laws is hereby amended by striking out paragraph (d), as most recently amended by section 6 of chapter 1140 of the acts of 1973, and inserting in place thereof the following paragraph:-

(d) To appoint and employ officers, including a general manager, agents, and employees to serve at the pleasure of the directors, except as may otherwise be provided in collective bargaining agreements, and to fix their compensation and conditions of employment; provided, however, the authority may bind itself by contract to employ not more than five senior officers but no such contract shall be for a period of more than five years. The advisory board shall approve the appointment of a general manager.

The authority shall annually, on or before January first, submit a schedule of salaries of all its employees and any proposed increases therein to the secretary of administration for his review. Said secretary may make recommendations to the authority on said salary structure and shall advise the authority of the prevailing rates that the commonwealth pays for similar services.

SECTION 3. Said chapter 161A is hereby further amended by striking out section 6, as most recently amended by section 10 of said chapter 1140, and inserting in place thereof the following section:-

Section 6. The authority shall be managed by a board of seven directors, hereinafter in this chapter called the directors, one of whom shall be the secretary, who shall be the chairman and shall not be compensated therefor, six of whom shall be appointed by the governor and who shall serve coterminus with the governor, one with the approval of the advisory board, one with the approval of the fourteen cities and towns, and one with the approval of the sixty-four cities and towns. The approval of the fourteen cities and towns shall be determined by a majority vote of their mayors, or city managers in the cases of Plan D or Plan E cities, and chairmen of the boards of selectmen and town managers in towns having a town council form of government with the vote of each city and town counted as on said advisory board; provided that fifty per cent or more of the total votes as set forth in said section seven is represented at such meeting. The approval of the advisory board and of the sixty-four cities

and towns shall be determined by a majority vote of their mayors or city managers and chairmen of selectmen or town managers present and voting thereon with the vote of each city and town counted as on said advisory board; provided that fifty per cent or more of the total votes as set forth in said section seven is represented at such meeeting. One of the appointees of the governor shall be experienced in transportation, one a member of organized labor who shall be a member of a national or international labor organization, and one experienced in administration and finance. No more than four of the seven directors shall be members of the same political party. Two of the appointees of the governor shall not be residents of the area constituting the authority.

Any director except the chairman may be removed for cause by the governor and any vacancy in the office of a director shall be filled, by appointment of the governor with the approval applicable to such under the provisions of section three of chapter twelve shall not apply to said board of directors. The six directors appointed by the governor shall receive a salary of seven thousand five hundred dollars. A majority of the directors shall constitute a quorum, but a majority vote of the entire membership of the board of directors shall be required to take any particular action.

SECTION 4. Said chapter 161A is hereby further amended by inserting after section 7 the following section:-

Section 7A. A designee of the governor shall be a member of the advisory board, and shall have the same number of votes on said board as the city or town with the greatest number of votes on said board; provided, however, that the designee shall not be considered a voting member on the approval of any appointment to the board of directors, or the position of general manager; provided, further, that in any case where the designee of the governor, and said city or town with the greatest number of votes shall vote the same, their combined vote shall equal the vote of said city or town; and provided, further, that an affirmative vote of at least one-third of the cities and towns present and voting shall be required for approval of any action or appointment.

The number of votes of such designee shall be in addition to the total number of votes of each city and town as determined by the authority, based upon the most recent annual assessment.

SECTION 5. Said chapter 161A is hereby further amended by inserting after section 11 the following section:-

Section 11A. Any of the sixty-four cities and towns may for the purpose of providing local bus service enter into agreements with any person lawfully authorized to operate any motor bus on

any public way therein for the carrying of passengers for hire.

Said city or town shall have the same powers and duties in respect to such private bus carriers as are provided by law for the department of public utilities, except as to safety of equipment and operations, schedules, and routes not being, however, considered safety of equipment and operations for purposes of this paragraph; and provided that the authority shall be notified of the establishment of any such contract local service, but shall not have control or jurisdiction over said service.

SECTION 6. The third paragraph of section 12 of said chapter 161A, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by adding the following sentence:- The authority shall consult with the finance advisory board established by section ninety-seven of chapter six prior to the sale of any such notes as to the timing and terms thereof.

SECTION 7. Subsection (a) of section 12A of said chapter 161A, as appearing in section 15 of chapter 4 of the acts of 1976, is hereby amended by adding the following sentence:- The authority shall consult with the finance advisory board established by section ninety-seven of chapter six prior to the sale of any such notes as to the timing and terms thereof.

SECTION 8. Section 19 of said chapter 161A is hereby amended by striking out the first sentence, as appearing in section 18 of chapter 563 of the acts of 1964, and inserting in place thereof the following sentences:- The directors shall have authority to bargain collectively with labor organizations representing employees of the authority and to enter into agreements, with such organizations relative to wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances of such employees; provided, however, that the directors shall have no authority to bargain collectively and shall have no authority to enter into collective bargaining agreements with respect to matters of inherent management right which shall include the right:

(i) to direct, appoint, employ, assign and promote officers, agents and employees and to determine the standards therefor.

(ii) (A) to discharge and terminate employees subject to the provisions of such clauses (B) and (C).

(B) No action set forth in (A) shall be sustained if, in a proceeding invoked in accordance with the provisions of such clause (C), the employee shall establish by a preponderance of the evidence that it was based upon race, color, religion, sex, age, national origin, handicapping condition, marital status, or political affiliation or activities or union activities or union organizing of the employees; a reprisal against the employee for disclosure of information by an employee which the employee

reasonably believes evidences a violation of any law, rule or regulation or mismanagement, a gross waste of funds, or abuse of authority; a reprisal against any employee for the refusal of any person to engage in political activity.

(C) The parties may include in any written agreement a grievance procedure culminating in final and binding arbitration which may be invoked in the event any employee of the authority is aggrieved by any action taken under such clause (A).

(iii) to plan and determine the levels of service provided by the authority.

(iv) to direct, supervise, control, and evaluate the departments, units, and programs of the authority; to classify the various positions of the authority and ascribe duties and standards of productivity therefor.

(v) to develop and determine levels of staffing and training.

(vi) to determine whether goods or services should be made, leased, contracted for, or purchased on either a temporary or permanent basis.

(vii) to assign and apportion overtime.

(viii) to hire part-time employees.

The authority is hereby prohibited from bargaining collectively or entering into any agreement to make pension benefit payments to its employees that are determined in a manner that includes the amount of overtime earnings of said employees.

The authority is hereby prohibited from bargaining collectively or entering into a contract which provides for automatic cost-of-living salary adjustments which are based on changes in the Consumer Price Index or other similar adjustments unless specifically authorized by law.

SECTION 9. Section 19F of said chapter 161A, as appearing in section 2 of chapter 405 of the acts of 1978, is hereby amended by striking out paragraph 8 and inserting in place thereof the following paragraph:-

8. 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 of the commonwealth, and which are not precluded from bargaining under section nineteen.

SECTION 10. The second paragraph of section 23 of said chapter 161A, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by adding the following sentence:- No bonds of the authority shall be sold by the authority unless prior to such sale the authority shall have consulted with the finance advisory board established by section ninety-seven of chapter six as to the timing and terms thereof.

SECTION 11. The fourth paragraph of said section 23 of said chapter 161A, as amended by section 3 of chapter 650 of the acts of 1965, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- Subject to the requirement of consultation with the finance advisory board established by section ninety-seven of chapter six, the authority may sell such bonds in such manner, either at public or private sale, and for such price as it may determine to be for the best interests of the authority.

SECTION 12. Said chapter 161A is hereby further amended by striking out section 29, as appearing in section 18 of chapter 563 of the acts of 1964, and inserting in place thereof the following section:-

Section 29. The authority is authorized and directed from time to time to take all necessary action to secure any federal assistance which is or may become available to the commonwealth or any of its political subdivisions, for any of the purposes of this chapter. If any federal law, administrative regulations or practice requires any action relating to such federal assistance to be taken by any department or instrumentality of the commonwealth other than the authority, such other department or instrumentality is authorized and directed to take all such action, including without limitation filing applications for assistance, supervising the expenditure of federal grants or loans to the foregoing, and the authority is hereby authorized and directed to take all actions which are not inconsistent with state law and which are necessary to permit such other department or instrumentality to comply with federal requirements. If the provisions of any federal law, administrative regulation, or practice governing federal assistance for the purposes of this chapter are inconsistent with any provisions of this chapter to the extent that the commonwealth or its political subdivisions are prohibited or potentially prohibited from receiving such assistance, the chairman of the authority shall, within thirty days after the federal government has notified him that an inconsistency may exist, notify the governor, and the clerks of the house and senate of such inconsistency.

SECTION 13. Chapter 151 of the acts of 1979 is hereby amended by striking out section 8A and inserting in place thereof the following two sections:-

Section 8A. The budget of the Massachusetts Bay Transportation Authority shall not be greater than one hundred and four per cent of the budget approved for said authority for the preceding fiscal year, provided, however, that said budget may be increased by those amounts approved in accordance with section eight B.

Section 8B. The Massachusetts Bay Transportation Authority may increase the budget limit imposed by section eight A by the approval of a specified amount by a two-thirds vote of the members of the advisory board present and voting.

SECTION 14. Section 16 of said chapter 151 is amended by adding the following at the end thereof:-

; provided, however, that sections eight A and eight B shall not expire until December thirty-first, nineteen hundred and eighty-three, and the provisions of section two, and sections 15A through 15E inclusive, insofar as applicable to the provisions of section eight A, shall not expire until December thirty-first, nineteen hundred and eighty-three.

SECTION 15. The directors of the authority, and each of the bargaining units within the authority, are hereby directed to establish for each said bargaining unit a productivity and conduct committee to be composed of three members of management chosen by the directors and three members of the respective bargaining unit, to be chosen by the officers thereof.

Said committees shall recommend the establishment of standards of productivity, and conduct of employees for each respective bargaining unit no later than June thirtieth, nineteen hundred and eighty-one.

The directors shall review, revise and implement said standards no later than thirty days after receiving such recommendations, and shall file a report with the clerk of the house of representatives on each set of standards as they are implemented.

SECTION 16. The authority is hereby authorized and directed to develop, implement and utilize an equipment maintenance information recording system for the authority. The authority shall establish a joint labor-management committee for the purpose of providing consultation and cooperation in the development of said equipment maintenance information recording system. Said systems reporting requirements shall include, but not be limited to, vehicle numbers, defects reported, defects found, cause determination, action taken, by whom, and duration of repair. Said system is to be developed, approved by the authority's board of directors, implemented in the automotive equipment maintenance department, and a report outlining said system filed in the office of the house clerk no later than the first Wednesday of January, nineteen hundred and eighty-two.

The clerk shall forward said report to the joint committees on transportation and post audit and oversight, and the report shall be reviewed by a subcommittee of the post audit and oversight committee, which shall be appointed by the chairman thereof.

Said subcommittee, in consultation with the transportation committee may make such recommendations as they deem neces-

sary to the authority with regard to said information system.

Said systems will be initially implemented in the automotive department and upon acceptance by the authority initiated in all other equipment maintenance departments as it applies to said departments.

SECTION 17. Commencing with the commonwealth's fiscal year nineteen hundred and eighty-four, beginning on July first, nineteen hundred and eighty-three, the Massachusetts Bay Transportation Authority shall operate on a fiscal year cycle coinciding with that of the commonwealth.

The board of directors of said authority shall prepare a plan to implement said fiscal year change and shall submit for approval said plan to the secretary of administration and finance not later than the first Wednesday of December, nineteen hundred and eighty-one.

Notwithstanding any general or special law to the contrary, commencing with the commonwealth's fiscal year nineteen hundred and eighty-four, all expenses of the authority shall be in accordance with an itemized budget. The authority, in consultation with the secretary of transportation and the advisory board, shall prepare and shall submit such budget for the ensuing fiscal year to the secretary and the advisory board not later than the date set by the commissioner of administration pursuant to section three of chapter twenty-nine of the General Laws for the submission of statements to the budget director.

The secretary shall review and make recommendations regarding such budget within thirty days after submission.

Within forty-five days after submission, the advisory board shall approve said budget as submitted or subject it to such itemized reductions therein as the advisory board shall deem appropriate. Such itemized reductions shall be accompanied by a clear delineation of the areas of services to be reduced and the degree of reduction of service including a statement by location, line, and mode of the level of maintainable service resulting from such itemized reduction. The advisory board shall vote on each item within the authority's budget and may subject the authority's proposed budget to itemized reductions as the advisory board may deem appropriate. The board of directors shall, no later than the first Wednesday in December file a copy of such budget with the governor. Said budget shall include all requests and recommendations of the authority for capital outlay programs and projects for the ensuing year.

Within three weeks after the convening of the general court the governor shall file a copy of the budget with the clerk of the house of representatives and the clerk of the senate. Said budget shall include all requests and recommendations of the

authority for capital outlay programs and projects for the ensuing year.

The governor shall include as a line item within the budget submitted pursuant to Section 2 of Article LXIII of the Amendments to the Constitution his recommendation for the share of the net cost of service at the Massachusetts Bay Transportation Authority to be paid by the commonwealth.

SECTION 18. Notwithstanding the provisions of subsection (i) of section five of chapter one hundred and sixty-one A of the General Laws, chapter one hundred and fifty-one of the acts of nineteen hundred and seventy-nine, section twenty-seven C of chapter twenty-nine of the General Laws and of section twenty A of chapter fifty-nine of the General Laws, the board of directors of the Massachusetts Bay Transportation Authority may by an affirmative vote of the directors, approve and restore to the budget for the calendar year nineteen hundred and eighty any or all itemized reductions which the advisory board may make or may have made in any budget or supplementary budget submitted to it; provided, however, that the amounts so approved and so restored to any such budgets shall not cause it to exceed the total sum of three hundred and forty-three million one hundred and sixty-six thousand eight hundred and forty-six dollars; and provided, further, that no amount in excess of three hundred and forty-three million dollars shall be spent unless the authority conducts its labor negotiations in accordance with chapter four hundred and five of the acts of nineteen hundred and seventy-eight. Said budget shall cover all expenditures incurred by the Massachusetts Bay Transportation Authority board of directors during calendar year nineteen hundred and eighty, including without limitation those costs incurred pursuant to Executive Order No. 189, issued on November eighteenth, nineteen hundred and eighty. The Local Aid Fund shall not be reduced by the amount of any funds restored pursuant to this section.

SECTION 19. In addition to the contract assistance authorized to be provided in section twenty-eight of chapter one hundred and sixty-one A of the General Laws, the commonwealth, acting by and through the executive office of administration and finance, may enter into an additional contract with the Massachusetts Bay Transportation Authority for contract assistance of a portion of the net cost of the calendar 1980 budget approved by the Advisory Board. In addition, for said year, the commonwealth shall provide assistance equal to the seventy-five per cent of the net cost of service in excess of three hundred and two million, one hundred and thirty thousand, three hundred and seventy-seven dollars authorized by the advisory board for operation of the authority for such year.

SECTION 20. One-third of said additional net cost of service assumed by the commonwealth pursuant to section fourteen C shall be included in any determination of total costs, charges, or fees, under the provisions of section twenty A of chapter fifty-nine of the General Laws, for the cities and towns within the jurisdiction of the authority.

SECTION 21. Section twenty A of chapter fifty-nine of the General Laws, as inserted by section twelve of chapter five hundred and eighty of the acts of nineteen hundred and eighty, shall apply to costs assessed upon member cities and towns of the Massachusetts Bay Transportation Authority, for the operation thereof, beginning calendar year nineteen hundred and eighty-one.

SECTION 22. The board of directors serving on the effective date of this act shall continue to serve until their successors are duly appointed.

SECTION 23. All positions vacant or which become vacant, on or after the effective date of this act, shall remain vacant; provided, that vacancies for which there exists a critical need may be filled upon certification of said critical need by the secretary of administration and finance; and provided, further, that said secretary shall report quarterly to the house and senate committees on ways and means the number, salary, title and job descriptions of all persons hired under the provisions of this section. No employee shall be terminated as part of any reduction in force, which result from enactment of this act, except in accordance with the provisions of the collective bargaining agreement in effect on the date of such termination.

SECTION 24. Section four of this act shall become inoperative on July first, nineteen hundred and eighty-three.

SECTION 25. The provisions of this act are severable, and if any of its provisions or an application thereof 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 or other applications thereof.

Approved December 7, 1980.

EMERGENCY LETTER - December 8, 1980 @ 12:46 P.M.

OFFICE OF THE SECRETARY, BOSTON, January 15, 1982

I hereby certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the index has been prepared under the direction of the Committees on Rules of the two branches of the General Court, in accordance with the provisions of Section 51 of Chapter 3 of the General Laws.

MICHAEL JOSEPH CONNOLLY,
Secretary of State.

The following index has 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.

A.

Abandoned Property, life companies	133	3
persons who have disappeared or absconded	178	
Abortion, informed consent	240	
Acton, town of (see Cities and towns)		
Acts and resolve, distribution	281	
Acushnet, town of (see Cities and towns)		
ADMINISTRATION AND FINANCE, EXECUTIVE OFFICE FOR:		
commissioner of, federal grant application and expenditure approval	329	11
fees and charges	572	
quarterly notification of agency tenancies to ways and means committees	329	16
Westborough, conveyance of land to	91	
Administrative Procedure Act		
public hearing notices	220	
Advertising		
Banks	314	
public notices	318	
Agawam, town of, (see Cities and towns)		
Agricultural, land use, orchards	378	
Agriculture, department of, food and		
lease of land at Belchertown	475	
Aircraft use on Great Ponds	194	
Airports, Hanscom Field Advisory Commission	290	
Alcoholic beverages, authority of, local licensing authorities	35	
licensing, publication of certain notices	318	
operating under the influence, blood tests	383	
sale or, delivery of, twenty years of age	193	
Amesbury, town of (see Cities and towns)		
Amherst, town of (see Cities and towns)		
Andover, town of (see Cities and towns)		
Angel dust, PCB, increasing penalty	241	
Animals, bovine, Brucellosis	102	
Cambridge, licensing and keeping of dogs in	300	
guide dog muzzles, place of public accommodation	71	
importation and sale of all dogs and cats	430	
licensing of dogs without a certificate of innoculation for rabies	100	
Annual budgets, cities, except Boston, submission of	47	
Annual observance, Saint Jean de Baptiste Day	33	
town meeting day	63	
Annuity, individual or group, contracts for employees of local school departments	564	
Antique, firearm collectors and exhibitors	353	
Appeals court, fees charged by, uniform procedure for indigents	539	

Appropriations
capital outlay 537
fiscal year 329
supplemental (145
(327
(339
(354
(538
(577
(578
Arlington, town of (see Cities and towns)
Armory, commonwealth 466
Ashfield, town of (see Cities and towns)
Ashland, town of (see Cities and towns)
Assabet, River, funding for improvements to 437
Assessments, limiting municipalities 580 12
Assessor of taxes, deliver certain plans to land court department of the trial court 180
notification to, as to receipts, cities and towns 313
qualifications of 416
Athol, town of (see cities and towns)
Attachment, mesne process, deposit of notice 152
Attleboro, city of (see cities and towns).
ATTORNEY GENERAL, DEPARTMENT OF:
appropriation, special commission, study of state and county buildings 257 1
medical care and assistance program, fraud and deceit in 524
Auctioneers, municipal license fees 329 73C
Ayer, town of (see cities and towns)

B.

Babson Reservoir, Gloucester, roadway construction 143
Ballots, absentee notice to voter, if ballot is rejected 379
BANKING:
commissioner of banks, co-operative central bank, powers of 179
credit insurance, retail installment sales, motor vehicle contracts 25
credit unions, loans 219
legal investment list, savings bank, credit union and trust company 65
liquidations, records, destruction 5
national credit union administration board, liquidating agent of closed credit union 14
removal or suspension of bank officer by 171
reporting date to, by credit unions 18
BANKS AND BANKING:
in general advertisements in a language other than English 314

	Chap.	Section.
board of bank incorporation authority	184	
certificate of title, in mortgage transactions	448	
cities and towns, agreements, collection of taxes and accounts payable	187	
deceased depositors, deposit payment	218	
educational loans, receipt of deposits	186	
liquidation, purchase and assumption resolution, hearing notice	184	
merger of	454	
mortgage loans, banks and credit unions, restrictions	335	
mortgages, energy improvements to real estate	78	
mutual savings central fund, reports, member banks	17	
officers or trustees removal or suspension by	171	
points, restrictions, mortgage transactions	385	
safe deposit boxes, notice to lessees, insurance on contents	484	
securities, investment in certain	491	
co-operative banks, borrowing by	109	
central bank, powers of	179	
decedent shares, payment	34	
deposits in	375	
employees and their beneficiaries, cost-of-living supplement	372	
home improvement loans by, limitations	74	
home mortgage, interest structure	67	
industrial development authorities, bonds	500	
loans, aggregate investment limits	248	
mortgage loans, ceilings	204	
sales and assignments of loans	294	
surplus accounts	507	
term deposit accounts, minimum period	295	
credit unions, assets, sale, transfer or assignment, investments	79	
commissioner of banks, information concerning borrowing	219	
national credit union administration board, as liquidating agent	14	
reporting date	18	
corporate central credit unions, memberships	431	
educational loans	184	
elections of officers and committees	201	
legal investment list	65	
loan application, forms	96	
one signature	302	
mortgage loans	335	
mortgages	250	
reserve requirements	202	
shares or deposits, amounts	66	
suburban, merger into Union Warren Savings Bank	345	
savings banks, compete equally with other financial institutions	547	
cost-of-living supplements, employees and their beneficiaries	372	
deceased depositors, payment of deposits	34	
savings, checking, and other deposits, payment of	218	
deposits in	(45	
	(75	

	Chap.	Section
industrial and educational development and health care, deposit by	268	
investments by, limitation on certain	149	
legal investment list, availability	65	
loans, borrowing by officers of	39	
aggregate limit, increasing on certain	248	
mortgage loans, certain, made by	204	
uniform surplus requirements	367	
Union Warren, Suburban Credit Union, merger of	345	
trust companies, legal investment list, availability	65	
real estate loans	407	
retirement plans and accounts, individual, offer and acccept	167	
savings deposits in	203	
Bar examiners, board of, financial disclosure	480	
Barbers, definition of	92	
Bard college, Simon's Rock Early College, merger with		
BARNSTABLE COUNTY:		
appropriations	221	
supplemental	188	
probate and family court department appointment of additional justices	575	
Barre, town of (see Cities and towns)		
Belchertown, town of (see Cities and towns)		
Bellingham, town of (see Cities and towns)		
BERKSHIRE COUNTY:		
appropriations	254	
central development corporation	280	
jail renovation, feasibility study	293	
Regional Housing Authority	439	
register of deeds, northern district, adjustment of accounts	8	
	418	
Billerica, town of (see cities and towns)		
Blackstone, town of (see cities and towns)		
Blind, persons, on juries	177	
Molloy, Dan G., funeral director, registered as	239	
Boating, Great Ponds, use	154	
Boats, races and regattas, liability of persons, emergency assistance	317	
BONDS AND NOTES:		
qualified bond act	329	68
redemption and refunding, of, cities, towns and districts	521	
Boston, city of (see cities and towns)		
Boston College High School, funding for judgement on eminent domain	55	
Boston, port of, pilotage rates	162	
Braintree, town of (see cities and towns)		
BRIDGES		
Attleboro, Walter A. Young Memorial Bridge	58	
Fitchburg, Peter J. Levanti Memorial Bridge	381	
Lakeville, John S. Erin Memorial Bridge	52	
Natick, Edward R. Taddeo Memorial Bridge	380	
Webster, John P. Ivascyn Bridge	244	
Webster, Joseph A. Patenaude Memorial Bridge	282	

BRISTOL COUNTY:
appropriation 453
Bristol County Agricultural School, purchase equipment for 449
probate and family court department, additional justices 575
Tri-City Office Equipment Corporation, payment to 12
unpaid bills, payment of 11
Brookline, town of (see cities and towns)
Building commissioners, cities and towns, term of office 85
Building Construction, Bureau of transfer to Division of Capital Planning and Operations 579
Building inspectors, retirement age 46
Buses (see Motor vehicles)

C.

Cambridge, city of (see Cities and towns)
Cancer, registry, establishing 393
Cape Cod Regional Transit Authority, state aid 492
Capital outlay, program for the commonwealth 578
Capital planning and operations, division of, establishing 579
Carlisle, town of (see Cities and towns)
CEMETERIES:
Carlisle, refund certain monies paid for cemetery purposes to board of public works 279
Forest Hills Cemetery, incorporation of 211
North Purchase Cemetery Association, to receive and administer property of Woodlawn Cemetery Association 209
Census, Annual 269
Central Berkshire County Development Corporation, tax assessments, exemption 280
Central Register, publication of 579 50
Charlemont, town of (see Cities and towns)
Chelsea, city of (see Cities and towns)
Chelsea Naval Hospital, development of site 493
Children, abuse or neglect of, reports 434
burial of dependent, state wards 478
care and protection procedure 181
crimes and offenses
motor vehicles, drivers licenses 95
sexual 459
newborn, testing, for Tuberous Sclerosis 455
voting places, admittance 168
CITIES AND TOWNS:
in general, agreements with certain banks, collection of certain accounts payable 187

	Chap.	Section.
alcoholic beverages, sale and delivery of	193	
licensing authorities	35	
anniversary, appropriate money for 300 and 350 commemoration	20	
assessments for, Metropolitan Area Planning Council	41	
assessors, notification, as to receipts	313	
to deliver certain plans to land court department of the trial court	180	
bonds and notes, redemption and refunding of	521	
budgets, submission	47	
civic and convention centers and exhibition halls, state aid	486	
confidential secretaries and administrative assistants, in municipal light commissions	536	
conflict of interest, elective or appointive public office	10	
construction of off-street parking facilities, state aid	487	
contracts, bids and bidding	217	
contracts publication in Central Register	579	
depository interest, to treasurer, tax collectors	97	
employees in, payment for off-duty work details	98	
employers of employees of school committees	151	
energy costs, exempting from limitations on property tax levies	206	
energy resource commission	384	
farmers home administration loans, to borrow outside debt limit	77	
fees and fines for projecting signs, phone booths	329	73B
firefighting units, certification by Department of Public Safety	304	
forests, conservation	446	
funds received, fire or physical damage, insurance policy	169	
great ponds, aircraft, transportation and use	194	
boating, fishing, hunting	154	
group insurance, negotiating and purchasing	216	
programs, refunds to members	150	
houses of worship, real estate tax exemption	411	
inspectors of buildings, building commissioners and local inspectors, term of office	85	
investment of trust funds by	15	
liability of, limiting	366	
local option on size and terms of office, of certain town boards, committees and officers	129	
lodging houses, licensing enforcement	173	
nomination papers, certification, objections, time for filing	134	
public hearing, notices	220	
public grounds, ways and spaces, improvement of	182	
rescission, laws previously accepted	80	
registrars of voters, nomination papers	134	
retirement boards	316	
tax assessors, qualifications	416	

	Chap.	Section.
tax rate change, prohibiting	580	
telephone booth placement, municipal fees and fines	329	73B
water distribution system improvement, financial assistance	81	
water pollution control facilites reimbursement	510	
Special provisions relative to particular cities:		
Attleboro, the First Lieutenant Walter A. Young Memorial Bridge	58	
Boston, Castle Island, South Boston, firefighter Robert M. Green memorial playground and picnic area	28	
Dorchester, Gallivan Boulevard, Philip A. Petrocelli Square	93	
Massachusetts Port Authority, payments in lieu of taxes	497	
South Boston John Edward Hicks Memorial Park	200	
widows of police officers increased benefits, pension	323	
Cambridge, condominium, controlled units, evictions of elderly tenants	166	
licensing and keeping of dogs	300	
refunding of certain bond anticipation notes	236	
Chelsea, Massachusetts Port Authority, payments, in lieu of taxes,	497	
Fall River, appointment, terms of office, removal of members of board of public works	207	
Manuel Michael Medeiros Overpass	29	
recall elections	292	
Fitchburg, certain federal funds, in computing the total amount to construct and equip courthouse	426	
Peter J. Levanti Bridge	381	
Gardner, Asher, Charles, E., payment of sum of money	199	
Boston and Maine Corporation, to pay a certain sum of money	305	
Croteau, Robert L., payment of sum of money	198	
department of public works to acquire certain land	420	
Gloucester, roadway construction across Babson reservoir	143	
Lawrence, board of education, school renovation and construction	340	
Halon, Paul, pay certain unpaid bills	356	
McComisky, Joseph, pay certain unpaid bills	356	
Lowell, borrow money for implementing one hundred per cent valuation	259	
land in, department of environmental management to convey, to National Park Service	546	
Lynn, Boyd, Robert, payment of sum of money	113	
harbor	516	
Powers, Leo, J., reinstatement in department of public works	535	
waste water treatment plant, use by town of Nahant	159	
Malden, taxation	249	
traffic commission, parking, residential areas	233	
Marlborough, change dividing lines of two wards	273	
chief engineer, fire department, civil service exemptions	307	

director of veterans' aids and services, civil service exemptions 360
fire alarm operator and fire dispatcher, civil service exemptions 363
planning board secretary, civil service exemptions 38
Melrose, Druyetis, Robert, M., and Beverly, A., sale of cetain land 574
New Bedford, Regional Refuse Disposal District 352
retirement board, to pay survivors benefits to Cindy Lou Dawson 32
Newburyport, Plum Island Water District 73
Rocco, Richard R., appointment as police officer, maximum age exception 247
superintendent and assistant superintendent of public works, tenure 489
Newton, Betterment District 441
commissioner of health, appointment 148
Community Development Authority, conveyance of land 137
North Adams, conveyance of land to Anthony J. and Harriet G. Morin 138
redevelopment authority, conveyance, removal of restriction 325
Northampton, Melnik, Partick J. and Alice E., conveyance of land to 128
Pittsfield, appropriation of certain funds for repairs to water system 114
Quincy, Lijoi, Ernest, creditable service for retirement purposes 253
Revere, Timothy J. Mahoney Memorial Circle 382
Somerville, alcoholic beverages, licenses and permits 258
school aid, overpayments, repayment to state (467
(468
Springfield, towing charges 124
park land, convey easements to town of Longmeadow 90
payment to, by town of Granville, use of waterworks system 438
public health, department of 533
Taunton, submit to state secretary, plan redividing certain wards 139
park and recreation commission 569
Waltham, metropolitan district commission, transfer of land 57
Westfield, membership of municipal light board and election of member 408
Wielgus, Edward, payment of sum of money 115
Worcester, nursing positions, civil service exemptions 227
public schools, employees of, to provide funds, collective bargaining 164
special provisions relative to particular towns:
Acton, sell land acquired for conservation purposes 332
youth services, commissioner of, convey certain land 576
Acushnet, Regional Refuse Disposal District 352

Aqawam, chief of police, subject to civil service, election 334
indebtedness, incurred, approving bond issue 161
Amesbury, democratic town committee, membership 40
telephone system, lease of, period not to exceed ten years 423
Amherst and Hadley, sale of intoxicating liquor in both towns 82
town meeting membership, election of persons 117
Andover, school department, custodian civil service exemption 72
Arlington, transfer of land, from conservation commission, to town manager and board of selectmen 336
Ashfield, sewer district 320
water district 267
Ashland, metropolitan district commission, certain easements for sewer purposes 481
Ayer, park land to housing authority 103
Barre, metropolitan district commission, payment in lieu of taxes 401
Belchertown, department of mental health land conveyance 414
Bellingham, southern Worcester, third district court, adding jurisdiction 550
Billerica, Forum, University of Lowell, Joe Tully ice hockey rink 289
Blackstone, funding of salaries, July and August, teachers and professional employees 442
Braintree, annual town meeting, validating actions 358
Tedeschi, Realty Corporation, convey certain land 357
Brookline, parking bylaws 190
Carlisle, Elderly Housing Authority, certain parcel of land 263
refund certain monies paid for cemetery purposes, to board of public works 279
Charlemont, land in, transfer from department of environmental management to department of public works 252
Clarksburg, Briggsville Water District 483
Clinton, metropolitan district commission, improve wastewater treatment plant 509
Cohasset, construct or reconstruct certain private ways 310
Sargent, Richard, appropriation 2
use of conservation land for sewage treatment plant 116
Danvers, claim fund 376
Cullen, Fuel, Inc., reimburse for excess taxes 355
installation of water lines in commercial and industrial business zones 312
Dartmouth, Regional Refuse Disposal District 352
Dighton, payment of sum of money 329 81
Dover, elected town officers, shall assume duties of such office, no later than June first 427
Dudley, removal elections 226
Easton, Marciano-Shaw Sporting Goods, Inc., payment

	Chap.	Section
of sum of money	89	
Fairhaven, Regional Refuse Disposal District	352	
Foxborough, sale of certain cemetery land, to Norfolk county, for highway purposes	19	
Framingham, metropolitan district commission, to grant a permanent public right-of-way	568	
Franklin, easement to Digital Equipment corporation	347	
supervisor of buildings and grounds, civil service exemption	402	
town engineer, civil service exemption	390	
Gardner, sick leave payment to Charles Asher	199	
Granville, Lower Pioneer Valley Regional Planning Commission, withdrawal from membership	6	
Springfield, payment for use of water works system	438	
Groton, Pierce, Marion, K., Buda, Alexander, J., and Phyllis, V., convey certain easements	515	
Groveland, water commissioners to act as board of sewer commissioners	419	
Hadley, Amherst, sale of intoxicating liquors in both towns	82	
Hanson, inspector of plumbing, civil service exemption	208	
Hingham, change name of North Sewer District to Hingham Sewer District	235	
Holliston, town clerk of, to pay certain fees to town treasurer	461	
Hopedale, Cox, Charles R., land transfer	185	
Hull, recall elections	495	
Lakeville, Bertrand, Raymond, D., intoxicating liquors package store license	418	
John S. Erwin Memorial Bridge	52	
Lancaster, Harrington, Robert, G., land conveyed to	545	
Lanesborough, police, civil service, election	127	
Lexington, land conveyance to Lexington Housing Authority	262	
Longmeadow, easement conveyance, Springfield, city of	90	
Ludlow, Vigneault, Kenneth, certification as police officer	274	
Lunenburg, republican town committee	205	
Mansfield, conservation commission transfer certain parcels of land to board of selectmen	284	
Mashpee, additional license for the sale of alcoholic beverages	530	
Labute, Gretchen, d/b/a Andy's Sport Shop, additional license for the sale of alcoholic beverage	573	
Soltis, James, pay a certain sum of money	443	
Mattapoisett, additional alcoholic beverages licenses	351	
Maynard, extend time for borrowing, construction of sewerage treatment plant	348	
Milford, public high school exempting from regulations by department of education	368	
Milton, school supervisor of custodians and maintenance, civil service exemption	404	
Montaque, easement in, by division of fisheries and		

	Chap.	Section.
wildlife, sewerage purposes	391	
town meeting member, elections, ballot placement	424	
Nahant, easements, wastewaters conveyance	159	
sewerage pumping station, sewer lines, construction	(62	
	(242	
Natick, Edward R. Taddeo Bridge, formerly, Washington Avenue Bridge	380	
Needham, railroad station, Henry D. Hersey Station	42	
New Salem, metropolitan district commission, lease land for, sanitary landfill facility	246	
Newbury, Old Town Water District, redefining boundary lines	73	14
Plum Island Water District	73	
Norwood, Hilton, Marion, M. granting pension	147	
Morrill Memorial Library, custodian, civil service exemption	44	
Oakham, metropolitan district commission, payment in lieu of taxes	401	
Pembroke, Andersons Wine & Cheese Shop, additional license, sale of alcoholic beverages	270	
County Corner Store, Inc. additional license, sale of alcoholic beverages	271	
Plymouth, Johnson, Clifton, C., certain legal expenses to be paid	288	
Arthur Sirrico Memorial Playground, purchase memorial plaque	285	
Randolph, dog officer, civil service exemption	296	
executive director on council of aging, civil service exemption	297	
metropolitan district commission, land conveyance to Disabled American Veterans Building Corporation	523	
public health, director, civil service exemption	298	
tree warden, civil service exemption	299	
Raynham, North Raynham Water District, calling meetings	123	
Saugus, funding of salaries, July and August, teachers and other professional employees of school department	192	
Scituate, directional sign, Chief Justice Cushing Highway	60	
marina, borrowing money for	344	
Sharon, drainage system, funds to construct	371	
Southborough, Brandano, Helen, M., metropolitan district commission land conveyance	548	
Spencer, recall elections	21	
Stoughton, board of selectmen, reducing memebership	435	
referenda, regional resource recovery facility	22	
sewer installment payments, interest	417	
Stow, McHugh, Thomas F., and Lois, Mary, commonwealth to convey land	522	
Sudbury, certain positions, civil service exemptions	306	
public land, acquisition by department of public works	229	
Sutton, land transfer by department of environmental management to dept. of public works	369	
Tewksbury, confidential secretary and senior civil engineer, department of public works, civil service exemptions	61	

	Chap.	Section
schoolteachers salaries and compensations	112	
Tanguay, Roger J., civil service examination for police officer	37	
Tisbury, Martha's Vineyard Commission, removing from membership	342	
Barlow, William, payment to	309	
recall elections	377	
Wareham, cost-of-living pay increase	309	
Di Rienzo, Charles, payment to	24	
Williams, Roy, S., appropriate money	308	
Watertown, Charles W. Greenough Boulevard name changed to Charles River Road	56	
Wayland, conservation land, conveyance	529	
Webster		
JFK Corp, all alcoholic package store license	157	
John P. Ivascyn Bridge	244	
Joseph A. Patenaude Memorial Bridge	282	
Tiffs Package Store, Inc., all alcoholic package store license	156	
West Boylston, chief of police, civil service exemption	160	
West Springfield, council on aging, executive director, civil service exemption	210	
custodian, town hall, civil service exemption	286	
Westborough, conveyance of land	91	
Westfield,		
municipal light board members	408	
Wielgus, Edward, appropriation	115	
Weston, Massachusetts Turnpike Authority, conveyance of land	133	
civil service exemption of certain employees	471	
Westwood, Sadler, Louis, retirement pay	421	
Weymouth, borrow money for certain road reconstruction	359	
Edward T. Henley memorial building	278	
Massachusetts Electric Company, convey or lease a parcel of land	232	
Webb Park, continued appropriation	51	
Winthrop, Massachusetts Port Authority, payments in lieu of taxes	497	
Civic and convention centers and exhibition halls, assist cities and towns to finance construction	486	
Civil Actions:		
fuel wood, liability of land owner removal by public of	53	
prayer, schools and school districts silent period	144	
prisoners, permits to be at liberty	155	
Civil procedure and practice, civil immunity for regional health districts	315	
enforcement of certain third-party actions, industrial accident cases, for a certain period of time, prohibiting	488	
fees for the service of civil process	321	
Franklin county, defense of civil actions in	231	
fraudulent acts affecting the commonwealth and commercial bribery, civil and criminal remedies for	531	
interest amount to be added to damages in actions in tort and contract	322	
investigation and prosecution of, theft of motor		

	Chap.	Section.
vehicles and fraudulent motor vehicles insurance claims, facilitating	463	
liability of a city, town, district, or regional school district officer, for certain losses, limiting	366	
liability of perons who conduct certain races and regattas, emergency assistance	317	
medical care and assistance program, fraud and deceit in	524	
rape and related offenses, graduated penalties and compensation for victim	459	
Worcester county, defense of civil actions in	231	
CIVIL SERVICE LAWS, EXEMPTIONS AND SUBJECT TO:		
Agawam, chief of police	334	
Andover, custodian school department	72	
Franklin, supervisor of buildings and grounds	402	
town engineer	390	
Hanson, plumbing inspector	208	
Lanesborough, police officers	127	
Ludlow, Vigneault, Kenneth, certification as police age requirement	274	
Marlborough, chief engineer, fire department	307	
director of veterans' aids and services	360	
fire alarm operator and fire dispatcher	363	
planning board secretary	38	
Milton, supervisor of custodians and maintenance in school department	404	
Norwood, Morrill Memorial Library, custodian	44	
Randolph, director of public health	298	
dog officer	296	
executive director on council on aging	297	
tree warden	299	
Sudbury, certain positions	306	
Tewksbury, confidential secretary and senior civil engineer, department of public works	61	
Tanguay, Roger J., waiving age requirement, allowing examination for police officer	37	
West Boylston, police chief	160	
West Springfield, custodian, town hall	(43	
executive director, council on aging	(286	
Weston, plumbing inspector, assistant plumbing inspector, building inspector, assistant building inspector, inspector of wires and sealer of weights and measures	471	
Worcester, certain nursing positions	227	
Clarksburg, town of (see Cities and towns)		
Clinton, town of (see Cities and towns)		
Cohasset, town of (see Cities and towns)		
Collection practices, unfair, deceptive, unreasonable	172	
COLLEGES, UNIVERSITIES AND INSTITUTES:		
Boston State College, employment protection,	329	79
Harvard, exemption from the law relative to certain land use	387	
Simon's Rock Early College, merged or consolidated into Bard College, New York	92	

		Chap.	Section
University of Lowell, hockey rink, renamed "B" Joseph Tully Forum		289	
Commemoration, three hundredth and three hundredth and fiftieth anniversary of corporation, city or town to appropriate money annually		20	
Commercial Fraud and bribery, civil and criminal remedies		531	
COMMISSIONS, STATE:			
special:			
Boston Harbor, preparing development program for, increasing membership	Resolve	8	
certain, reviving and continuing	Resolve	3	
constitution of the commonwealth, two hundredth anniversary, increasing scope	Resolve	1	
energy liason committee, establishing, joint energy liason Canada, investigation and study	Resolve	6	
evaluation and reorganization of, public higher education in the commonwealth, reviving and continuing	Resolve	2	
local aid distribution formula, investigation and study	Resolve	4	
state and county buildings, extending time for final report,		257	2
COMMUNITY AFFAIRS, DEPARTMENT OF:			
development of site, formerly Chelsea Naval Hospital		493	
increased housing units		490	
Competitive bidding, Massachusetts Turnpike Authority, emergency repairs		49	
Conciliation and arbitration, board, of, salaries		445	
temporary appointment of nonmembers		146	
Condominium, Cambridge, controlled units, prohibiting eviction of elderly tenants,		166	
furnishing, gas and electricity		526	
Conflict of interest, state or county employee, holding elective or appointive office in city, town or district,		10	
Congressional, medal of honor recipients, special registration plates		450	
Consumer, credit reporting,		118	
Consumer credit, cost and terms, disclosure		191	
credit unions, report to commissioner of banks, information concerning borrowing,		219	
insurance, written in connection with retail installment sales of motor vehicle contracts,		25	
reporting		118	
retail installment sales, finance charges		470	
Consumer protection, advertisement in a language other than English,		314	
collection practices, unfair, deceptive, unreasonable		172	
cost and terms, disclosure		191	
credit insurance in connection with retail installment sales of motor vehicle contracts		25	
credit reporting		118	
credit unions, report to commissioner of banks		219	
insurance policies		386	
medicare, supplemental insurance policies		558	
retail installment sales		470	

resale of any ticket, to any exhibition, show or public amusement, 460
sale of certain securities, 362
sale or purchase of gold, silver or platinum 400
small loans 264
venue 119
weighing of, prepackaged meat, poultry and fish, 228
Contracts, sales (see Sales)
interest amount to be added to damages in actions of tort 322
Conveyancing, notices or orders, evading 132
Corporate Central Credit Unions, credit unions to be members 431
CORPORATIONS:
in general, banks, merger 454
board of bank incorporation 184
business corporations, articles of consolidation or merger, 365
filing of articles of consolidation or merger 245
mortgaging and pledging of corporate assets 494
capital stock of domestic corporations 141
Central Berkshire County Development Corporation 280
certificate of condition 214
charitable, eligibility for property tax exemptions, and abatement of taxes 560
directors officers and incorporators, scope of liability 265
corporate central credit unions 431
domestic corporations, restriction of sale of stock by 141
special provisions relative to particular corporations:
Boston and Maine Corporation, Gardner to pay a certain sum of money 305
Cullen Fuel Inc., Danvers, reimburse for excess taxes paid 355
Digital Equipment Corporation, Franklin, grant and convey an easement to 347
Malpractice Joint Underwriting Association, method of assessment of a deficit 333
Massachusetts Electric Company, Weymouth, conveyance of land 232
Massachusetts Rehabilitation Hospital, transferring rights of the commonwealth, in premises, 341
Massachusetts Technology Development Corporation, to receive certain federal funds 561
Norfolk County Development and Tourist Council of Mass. Inc., change of name 120
North Berkshire Industrial Development Commission, acquisition construction, financing and disposition of projects 326
Randolph Chapter #39, Disabled American Veterans Building, metropolitan district commission to convey land to 523
Simon's Rock Early College, merge or consolidate into Bard College 92

	Chap.	Section
Sojka-Traceski Incorporated, may operate Stadium Liquors, in Amherst and Hadley, after licensing by either town	82	
Suburban Credit Union, merger into Union Warren Savings Bank	345	
Tedeschi Realty Corporation, Braintree, convey certain land to	357	
Tri-City Office Equipment Corporation, payment of a certain sum of money, by Bristol county treasurer	12	
Union Warren Savings Bank, merger of Suburban Credit Union, into	345	
Walsh Contracting Corp., state treasurer, pay certain sum Resolve	7	
Woburn Development and Financial Corporation	553	
CORRECTION, DEPARTMENT OF:		
certain persons eligible for appointment as correction officer	183	
indemnification of certain employees	496	
Ryan, William, H., certain creditable service for	457	
Correctional institutions, Berkshire county, feasibility study, jail renovating	293	
state, county permits to be at liberty	155	
Correctional officers, Plymouth county, county commissioners, implement unfunded portion of collective bargaining	276	
Corwin, Donald, Wareham, pay sum of money to	309	
COUNTIES: district attorneys and assistant district attorneys, salaries of, increasing	525	
employee, conflict of interest, relative to holding elective or appointive office in city, town or district	10	2
group insurance programs, refunds to members	150	
(See specific Counties:) Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk & Worcester		
COUNTY COMMISSIONERS:		
Barnstable county, levy county tax	188	
Berkshire county, feasibility study, jail renovation house of correction	293	
Bristol county, temporary notes	23	
money to purchase equipment for borrowing, Bristol County Agricultural School	449	
Hampden county, levy county tax	26	
Hampshire county, authorized to expend, hospital appropriations,	225	
increasing amount which may be borrowed, jail and house of correction, of	543	
Norfolk county, appropriate funds, payment of certain bills	16	
cemetery land, to acquire, certain, Foxborough, for highway purposes	19	
Plymouth county, implementation, collective bargaining agreement, correction officers	276	
Massachusetts Nurses Association	3	
airplane, forest fire detection and prevention	13	

	Chap.	Section.
increasing expenditures, promotion and advertising	7	
payment by, certain unpaid bills, on file with bureau of accounts, in department of revenue	4	
Public Safety Training Academy, borrowing money for	517	
Worcester county, hospital, appropriation, maintenance and repair	234	
increasing money for the purpose of advertising	311	
registry of deeds, purchase computer system, borrowing funds	153	
COURTS:		
appeals courts (see Appeals courts)		
district courts (see District courts)		
housing court (see Housing court)		
land court (see Land court)		
probate courts (see Probate courts)		
superior and supreme courts (see Supreme judicial and superior courts)		
trial courts (see Trial courts)		
Cox, Charles R., Hopedale, land transfer	185	
Credit, cost and terms, disclosure of	191	
creditor, unfair, deceptive or unreasonable collection practices	172	
Cremation, of bodies of persons dying out of state	319	
CRIMES:		
antique firearm collectors and exhibitors, violations of law	353	
controlled substances,penalties for manufacture, distribution, and dispensing of Class A, and Class B, limit parole eligibility for certain drug related violations	436	
conveyance of real estate, to evade notices or orders, increasing penalty	132	
fraudulent acts affecting the commonwealth and commercial bribery, civil and criminal remedies	531	
investigation and prosecution of, theft of motor vehicles and fraudulent motor vehicles insurance claims	463	
medical care and assistance program, fraud and deceit	524	
operating motor vehicles, blood and chemical tests	383	
Phencyclidine, PCB or angel dust, increasing penalty for use of	241	
pimp or purveyor, penalty for, increasing	409	
rape, and related offenses, graduated penalties and victim compensation for	459	
victim, interview by police officers	195	
secondhand motor vehicles, unlicensed sale, fines and penalties,	452	
CRIMINAL PROCEDURE AND PRACTICE:		
assault and battery offenses, jurisdiction over certain	122	
controlled substances, penalties for manufacture, distribution and dispensing of class A, and class B, limit parole eligibility for certain drug related violations	436	
Franklin county, administration of criminal law	231	
fraudulent acts affecting the commonwealth and commercial bribery, civil and criminal remedies for	531	

medical care and assistance program, fraud and deceit in 524
motor vehicle investigation and prosecution of, theft of and fraudulent insurance claims, facilitation 463
operators who fail to appear in court, on a summons, hearing for, 447
second hand unlicensed sale, fines and penalties 459
pimp or purveyor, penalty for, increasing 409
rape and related offenses, graduated penalties and victim compensation for 459
worcester county, administration of criminal law 231
Croteau, Robert, L. Gardner, town of, unused sick leave, appropriation 198
Cullen, Fuel, Inc., Danvers, reimbursement for taxes paid 355
Cushing, Chief Justice Highway, certain directional sign at, in Scituate 60
Cushing Hospital, Board of Trustees 329 87

D.

Danvers, town of (see cities and towns)
Dartmouth, town of (see cities and towns)
Dawson, Cindy Lou, New Bedford, retirement board of, to pay survivors benefits to 32
Debtor, collection practices, unfair, deceptive, unreasonable 172
Deferred Compensation Program, Massachusetts Turnpike Authority, employees 176
Dettmann, Sonita, in favor of Resolve 5
DiRienzo, Charles, Wareham, appropriation 24
Dies, procedure for the transfer of rights and title to 528
Dighton, town of (see Cities and towns)
Digital Equipment Corporation, Franklin, town of, grant and convey an easement to 347
Dinosaur track, fossil emblem of the commonwealth 189
DISPOSAL:
Acushnet, Regional Refuse District 352
Dartmouth, Regional Refuse District 352
Fairhaven, Regional Refuse District 352
New Bedford, Regional Refuse District 352
South Essex Solid Waste Disposal District, effective dates 1

	Chap.	Section.
DISTRICT ATTORNEYS:		
assistants, authorization for and salaries	261	33
commission to study organization and staffing of	329	33
northwestern district, Athol	534	
Hampden district, assistants in salaries	525	
DISTRICT COURTS:		
in general, closing on Saturdays	330	
court division names by locale	83	
fees charged by, uniform procedure for indigents	539	
jurisdiction over certain assault and battery offenses	122	
juvenile courts, care and protection procedure	181	
payment of certain fines by mail	31	
special provisions relative to particular courts:		
Boston, municipal court, assault and battery offenses	122	
East Boston district, clerk of, stolen money, reimbursement to city of Boston	158	
Marlborough, adjustment of books by chief probation officer, lost money	9	
Southern Norfolk, additional assistant clerk in	559	
third district court of southern Worcester, Bellingham, adding,	550	
ISTRICTS:		
in general, change in tax rate of, after review by the commissioner, prohibiting	413	
Commercial Area Revitalization, construction of off-street parking facilities in, cities and towns, financing of	487	
conflict of interest, relative to holding elective or appointive office	10	
employees in, payment for off-duty work details,	98	
engineering inspectors, retirement age,	46	
exempting certain energy costs from limitations on property tax levies and expenditures	206	
funds received, fire or physical damage insurance policy, use	169	
group insurance, negotiating and purchasing of	216	
group insurance programs, refunds	150	
liability of, limiting	366	
Newton, betterment district in	441	
procedure for rescission of laws previously accepted by	80	
redemption and refunding of bonds and notes, to provide for	521	
regional districts, civil immunity	315	
reimbursement by the commonwealth, for annual costs of chemicals, for maintenance of water pollution control facilities	510	
fire, Shelburne District, to borrow money for fire equipment	405	
sewer, Ashfield, establishing in	320	
Hingham, North Sewer District name changed to Hingham Sewer District,	235	

water
Ashfield, district in 267
Briggsville district, Clarksburg 483
water distribution system improvement, financial assistance to 81
North Raynham water district, calling of meetings 123
Old Town Water District, Newbury, redefining boundary lines of 73 14
Plum Island District, membership of 364
Plum Island District, Newbury, Newburyport 73
Dogs, muzzels, certain guide 71
Dover, town of (see Cities and towns)
Drugs, harmful angel dust, PCB 241
Druyetis, Robert, M., and Beverly, A., Melrose, sale of land 574
241
Dudley, town of (see Cities and towns)
DUKES COUNTY
appropriations 222
Hanna, Preston, R. a pension 331
Sandwich, term of clerk and treasurer of 549

E.

EASEMENTS:
private roads, utility services 251
Franklin, grant and conveyance, to Digital Equipment Corporation 347 1,2
metropolitan district commission, conveyance of land, to Massachusetts Bay Transportation Authority, Red Line extension 504
convey to town of Ashland, easements, sewer purposes 481
Framingham, grant a permanent right-of-way over certain land, in 568
Montague, town of, in, division of fisheries and wildlife, to grant, for sewage purposes 391
Nahant, obtain, to convey waste waters to plant in city of Lynn 159
East Boston district court, clerk of, may adjust books, stolen money, reimbursement to city of Boston 158
Easton, town of (see Cities and towns)
EDUCATION, DEPARTMENT OF:
higher education system, reorganization of 329 112
loans, by banks and credit unions 186
Milford, public high school of, regulations, exempting from 368

pupil testing for postural defects 111
ELDER AFFAIRS, DEPARTMENT OF:
protective services program 329 69
Service Corps., increasing stipend for 566
ELECTIONS:
absentee ballots, notification of voter if rejected as defective 379
campaign finance records maintenance 329 102
Dover, officers, term of office 427
Dudley, recall elections 226
Fall River, recall elections 292
Hull, recall elections 495
local option on size and terms of office, of certain town boards, committees and officers 129
Montague, office of town meeting member, order of which names of candidates shall be placed on ballot, shall be determined by lottery 424
nomination papers, certification of further 134 5
certification, objections, time for filing 134
insertion of correct designation of districts 134 1
presidential primary, filing date 134 5
presidential elector, filing date 134 3
Spencer, recall elections, petitions and signatures 21
Tisbury, recall elections , petitions and signatures 377
voter accompanied by a child 168
voting rights, retired members of retirement system for public employees 170
Electricity:
conduminiums 526
municipal lighting plants, liens, nonpayment of electric service 551
oil to coal, conversion of generating facilities 464
Elevators, certain requirements for 324
Emergency finance board, placing within General Laws, increasing compensation to members 552
Eminent domain, Massachusetts Turnpike Authority, acquisition of land from town of Weston 133
Nahant, necessary land to convey waste waters to city of Lynn 159
public works, department of, acquisition of land, town of Sudbury 229
EMPLOYEES AND EMPLOYERS:
Blackstone, teachers and other professional employees, summer compensation 442
Blackstone-Millville Regional School District, teachers and professional employees, summer compensation 440
cities, towns and districts, payment for off-duty work details 98
conditions of employment, for certain employees 131
for minors 131 2
elevator inspectors, retirement age 46
local school departments, individual or group annuity contracts for 564

other persons, accepting or retaining, tips, gratuities or service charges for employees, prohibiting 301
Suffolk County Cooperative Extension service, to participate in, commonwealth's group insurance program 397
Massachusetts Turnpike Authority, deferred compensation program 176
public retired, cost-of-living, adjustments 542
school committees, definition of 151
voting rights, retired members of retirement system 170
public employer, definition of 151
savings and co-operative banks, employees and their beneficiaries, cost-of-living supplements 372
state certain conduct of, educational institutions 303
maternity leave of absence 343
unemployment benefits in conformity with federal requirements 50
Wareham, certain employees, appropriate and pay sum of money, cost-of-living increase 309
Worcester, employees public schools, funds for collective bargaining agreement 164
Employment security law, unemployment compensation to persons incapacitated by mental illness 230
retirement benefits under 518
unemployment benefits, in conformity with federal requirements 50
Energy, costs, exempting from limitations on property tax levies and expenditures 206
electric generating facilities, conversion of oil to coal 464
energy source property, renewable 485
resources commissions, cities and towns to establish 384
Energy resources, secretary of, Massachusetts residential conservation service 465
ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:
hazardous waste materials, disposal of 508
Massachusetts heritage program data base, access to 328
National Park Service, to sell and convey, a certain parcel of land 546
transfer certain public lands to department of public works 369
transfer control of certain land in town of Charlemont to department of public works 252
ENVIRONMENTAL QUALITY ENGINEERING, DEPARTMENT OF:
division of water pollution control 511
hazardous waste materials, disposal of 508
license, Lake Quinsigamond, maintaining shoreline 476
water distribution system improvement aid, cities, towns, districts 81 2

	Chap.	Section.
Erwin, John S., Memorial Bridge, Lakeville	52	
Essex Agricultural and Technical Institute, borrowing money for certain repairs, renovations and improvements	165	
ESSEX COUNTY:		
appropriations	458	
expenses and expenditures	350	
probate and family court department, division of, appointment of additional justices for	575	
school teachers, backpay	(275	
	(277	
Estates, decedent's shares payment and deposits	34	
informal administration, total value entirely of personal property, to qualify for	126	
inheritance rights of certain illegitimate children	396	
legal representative, payment of savings, checking, and other deposits, in name of deceased depositors	218	
payment of claims due to, of deceased subscribers	212	
practice of certain occupations and professions, by certain persons or surviving spouse	480	
property of persons who have disappeared or absconded	178	
Evictions, Cambridge, condominium controlled units, elderly tenants, prohibiting	166	

F.

Fairhaven, town of (see Cities and towns)		
Fall River, city of, (see Cities and towns)		
Farmers home administration loans, cities and towns to borrow outside debt limit	77	
Federal comprehensive employment and training programs, implementing	565	
Fees		
courts	539	
sheriffs, service of civil process	321	
Fiedler, Arthur, memorial statue, Boston, city of, site acquisition	567	
Finance advisory board, Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority, membership of	48	
Finance charges, retail sales of motor vehicles	136	
Financial disclosure law, board of bar examiners, exempting from	256	
Fire		
costs of protection from, contribution of insurance companies, increasing	392	

	Chap.	Sectic
insurance contracts, changing inception time of	104	
applications for	255	
losses, investigation of, liability	121	
prevention regulations, board of, membership and authority of	462	
Shelburne district, loans for fire equipment	405	
Firearms,		
antique collectors	353	
licenses, International Handgun Metallic Silouette Association, international championship competitiors	69	
Firefighters, officers of the professional firefighters of Mass., AFL-CIO-CLC, certain time off	101	
binding arbitration	580	10
Firefighting units, private units, use by city or town	304	
FISHERIES AND WILDLIFE, DEPARTMENT OF, distribution of commercial fishermen permits, lobsters	444	
easements, town of Montague, for sewage purposes	391	
Fishing and hunting, Gloucester fisheries commission, membership	361	
Great Ponds, use	154	
striped bass, possession and sale of	215	
Fitchburg, city of (see Cities and towns)		
Flood control, department of public works, to abandon land or rights in land to the United States, for construction of flood control projects	94	
FOOD AND AGRICULTURE, DEPARTMENT OF:		
commissioner of, small farm demonstration and training center	475	3-4
long term lease of land and buildings at Belchertown state school	475	
	211	
Forests, control of, towns, in	446	
Forms, dies and molds, transfer of rights and title to	528	
Foxborough, town of (see Cities and towns)		
Framingham, town of (see Cities and towns)		
Franklin, town of (see Cities and towns)		
Franklin county, appropriation for fiscal year	223	
districts for administration of criminal law and defense of civil actions	231	
Fuel, to increase existing mortgage, homeowners, to finance cost of	78	
municipal light commissions and the Massachusetts Municipal Wholesale Electric Company, to purchase without bids	243	
Funeral directors, Molloy, Dan G., legally blind person, certificate of registration	239	

	Chap.	Section.
Gardner, city of (see Cities and towns)		
as, unit of measure, for sale of	554	
GENERAL COURT:		
charitable deductions on income taxes	329	75
commission to study organizations and staffing, district attorneys	329	33
data processing procurement practices	329	
general laws municipal revocation or acceptance	580	5
local tax exemptions limitation	580	74
Gloucester, city of (see Cities and towns)		
Gloucester fisheries commission, membership of	361	
old, sale or purchase of	400	
Granville, town of (see Cities and towns)		
ratuities (see Wages)		
Great Ponds, aircraft, transportation and use	194	
Green, Robert M., South Boston, castle island, memorial playground and picnic area	28	
Groton, town of (see Cities and towns)		
Groveland, town of (see Cities and towns)		
Guilbert, Morris, Wareham, appropriation	309	
Guns (see Firearms).		
GOVERNOR:		
proclamations by		
Pearl Habor Day, annual observance	140	
Saint Jean de Baptiste Day	33	
Town Meeting Day	63	

Hadley, town of (see Cities and towns)		
HAMPDEN COUNTY:		
appropriations	432	
supplemental	26	
assistant district attorneys	534	
racing day awards	76	
tax levy	26	2
HAMPSHIRE COUNTY:		
appropriation	224	
hospital	225	
construction, loan, jail, house of correction	543	
probate and family court, Hampshire division, appointment of assistant register	238	
one messenger	237	
Handguns (see Firearms)		

Hanlon, Paul, Lawrence, pay certain sum to 356
Hanna, Preston, R., Dukes county, pension 331
Hanscom field advisory commission, creation and powers 290
Hanson, town of (see Cities and towns)
Harbor, of Lynn, boundaries 516
Harrington, Robert, G., Lancaster, conveyance of land 545
Hazardous waste materials, disposal of, regulating 508
Health maintenance organizations, determination of need 541
health and educational facilities authority, financing 482
health services 196
Newton, commissioner of, appointment 148
regional districts, civil immunity 315
service corporations, decedents' relatives or estates, payments 212
Health Services, payment by, claims due to estates of deceased subscribers 212
Henley, Edward T., Weymouth, memorial 278
Hersey, Henry D., railroad station, Needham 42
Hicks, John Edward, Boston, Memorial Park 200
HIGHWAYS:
construction funds, removal of restrictions 570
state, traffic control, expanded business or residential facility 477
Waltham, conveyance of land from metropolitan district commission, highway purposes 57
Hilton, Marion M., Norwood, pension 147
Hingham, town of (see Cities and towns)
Holliston, town of (see Cities and towns)
Homeless persons, public assistance, facilities providing food and shelter to 36
Hopedale, town of, (see Cities and towns)
Horses, standardbred breeding 86
HOSPITALS:
Bridgewater state, psychologists examinations, commitment and competency 571
child abuse or neglect report cases 434
disclosure of certain medical information, 272
long-term care facilities, abuse of patients or residents in 479
Massachusetts rehabilitation hospital, deeds and conveyances 341
medical facilities, determination of need for 541
Plymouth county, collective bargaining contract, Nurses Association 3
Pondville, sale or lease of 519
Rate setting commission, charges of 540
Housing, increase 490
Housing authorities, Carlisle, conveyance of land,

	Chap.	Section
elderly	263	
Lexington, town of, conveyance of land to housing authority	262	
Housing court, fees charged by, waivers for indigents	539	
Hull, town of (see Cities and towns)		

I.

Industrial accident board, increasing of salaries	506	
single member, medical payments, orders	283	
Industrial accident cases, prohibiting enforcement of third-party actions in	488	
Industrial development authorities, powers of co-operative banks	500	
Informed consent, abortion	240	
Inspector general, office of, establishment of	388	
Inspectors of buildings, cities and towns, term of office	85	
INSURANCE:		
in general, banks, safe deposit boxes	484	
credit, accident and other motor vehicle retail installment sale	25	
damaged property, use of funds received by political subdivisions	169	
fire, adjusters, losses	125	
binders	59	
company contribution for certain protection costs	392	
contracts, standard inception time	104	
investigation, cooperation by agents and brokers	121	
landlord, disclosure	87	
loss forms, certain buildings	255	
group, negotiating and purchasing, political subdivisions	216	
public retirees, total incapacity	329	64
Suffolk County Cooperative Extension Service	397	
trust fund, remaining balances expenditure	150	
life, abandoned property, inspection of records	130	
medical malpractice, joint underwriting association	333	
medicare, supplemental policies	558	
motor vehicle, mechanical failure or breakdown coverage	386	
personal injury protection benefits	260	
premiums paid to licensed, independent agents	398	
retail installment sale	25	
theft, fraudulent claims	463	
insurer/police investigation	451	
uninsured and underinsured coverages	532	

	Chap.	Sect.
International Handgun Silhouette Association, licenses, firearms, championship competitors	69	
Ivascyn, John P., bridge, Webster	244	

J.

Jail (see Correctional institutions)		
JFK Corp., Webster, alcoholic package store license	157	
Johnson, Clifton, C., Plymouth, reimbursement authorization	288	
Judges (see Specific Courts and Justices).	527	
Juries, blind persons included	177	
Justices, district court, first justices, eligibility	527	
administrative justices of the trial courts, powers and duties	105	
Juvenile Courts (see District Courts)		

K.

Keefe, Joseph, E., Newburyport, Tenure	489	

L.

Labor:		
binding arbitration, fire and police employment, for certain employees	580	10
MBTA, collective bargaining	581	8
Labute, Gretchen, intoxicating liquors, license, Mashpee, town of	573	
Lake (see Waters and Waterways)		
Lakeville, town of (see Cities and towns)		
Lancaster, town of (see Cities and towns)		

Land Court:
assessors to deliver real estate plans 180
fees 539
Land use
agricultural, low income persons, vacant public lands 378
fuel wood removal, owners liability 53
Harvard College, real estate,residential restrictions 387
Landlord and tenant, fire insurance contracts, disclosure 87
tenants, Cambridge, condominium controlled units, eviction of elderly prohibited 166
Lanesborough, town of (see Cities and towns)
Lappin, Peter, H., state service credit 473
Lawrence, city of (see Cities and towns)
Lee, Sarah, E., Washington, Francis D., superior court to vacate its judgment 422
Legislative agents, certain changes in law 107
Levanti, Peter, J., Fitchburg, bridge 381
Lexington, town of (see Cities and towns)
Libraries, state aid 99
LICENSES AND PERMITS:
alcoholic beverages, publication of certain notices, applications 318
crime, furnishing to persons 20 years of age 193
Cambridge, of dogs in, 300
commercial fishermen, lobsters 444
dogs, rabies innoculation certificate 100
fees, increasing 499
insurance agents, independent 398
Lake Quinsigamond, license, maintaining shoreline 476
Lakeville, Bertrand, Raymond, D., alcoholic package store license, 418
licensing requirements for users of special fuels, noncommercial vehicles, exemption 544
local licensing authorities, authority of, 35
lodging houses, licensing enforcement, 173
Mashpee, Gretchen, Labute, intoxicating liquors 573
Mashpee Liquors Inc., additional license for alcoholic beverages 530
Mattapoisett, an additional alcoholic beverages license 351
medicine, practice of 374
motor vehicles and trailers 110
Pembroke, Anderson's Wine & Cheese Shop, Inc., additional license for alcoholic beverages 270
Pembroke, County Corner Store, Inc., additional license for alcoholic beverages 271
pharmacies, registration, temporary restricted license 135
second hand motor vehicles, fines and penalties 452
Somerville, alcoholic beverages 258
vehicles, special service passenger by department of public utilities 370
tickets, theaters and shows, resale 460
veterinarian schools 428

	Chap.	Section
Lijoi, Ernest, Quincy, creditable service, retirement	253	
Loans (see also Banks and Banking)		
Farmers Home Administration, cities and towns, indebtedness above limitations	77	
home improvement, cooperative banks, limitations	74	
mortgage, banks and credit unions, restrictions	335	
savings banks, borrowing by officers or investment boards	39	
small, up to six thousand dollars, interest, usury	264	
Lobsters, commercial fishermen	444	
Local aid fund, donation of residual campaign funds	329	102
Local inspectors, terms of office,	85	
Lodging, lodging houses, licensing enforcement,	173	
Longmeadow, town of (see Cities and town)		
Lowell, city of (see Cities and towns)		
Lower Pioneer Valley Regional Planning Commission, withdrawal, town of Granville	6	
Ludlow, town of, (see Cities and towns)		
Lunenburg, town of (see Cities and towns)		
Lynn, city of (see and towns)		

M.

Mahoney, Timothy, J., Revere, Memorial Circle,	382	
Malden, city of (see Cities and towns)		
Mansfield, town of (see Cities and towns)		
Marciano Shaw Sporting Goods, Inc., Easton, appropriation	89	
Marina, Scituate, loan	344	
Marine mammal, whales, mammal emblem	54	
Marlborough, city of (see Cities and towns)		
Martha's Vineyard Commission, membership	342	
Mashpee, town of (see Cities and towns)		
Mashpee Liquors Inc., Mashpee, additional license for alcoholic beverages	530	
MASSACHUSETTS:		
Aeronautics Commission, aircraft, use of, great ponds, cities and towns	194	
Bay Transportation Authority, buses, length and width	163	
bond issue, notes, loan	501	
Metropolitan District Commission, easements to, red line extension	504	
railroad station, Needham, Henry D. Hersey station,	42	
regulation of	581	8
restoration of funds	581	8
structure operation, collective bargaining	581	

	Chap.	Section.
Board of		
bank incorporation, purchase and assumption resolution, bank liquidation	184	
bar examiners, financial interests, disclosure	256	
conciliation and arbitration, temporary appointment of nonmembers	146	
higher education changed to board of regents of colleges and universities	329	116
medicine, investigations	213	
pharmacy, temporary restricted license, registration	135	
Electric Company, Weymouth, conveyance of land to	232	
Health and Education Facilities Authority Act, financing	482	
Municipal Wholesale Electric Company, fuel supply, purchase, bids and billing	243	
Port Authority, payments in lieu of taxes	497	
Rehabilitation Commission, recodification of statutes	513	
Rehabilitation Hospital, releasing and transferring rights of the commonwealth in premises, used and occupied by	341	
Residential Conservation Service, establishing	465	
Technology Development Corporation, innovation development	561	
Turnpike Authority, acquisition of land from Weston	133	
emergency repairs, lack of competitive bids	49	
employees, deferred compensation program, investments	176	
University of, eminent domain, payment of judgment, Boston College High School, funding	55	
trustees of, transfer land, state archives,	389	
Maternity, leave of absence employees	343	
Mattapoisett, town of (see Cities and towns)		
Maynard, town of (see Cities and towns)		
McComisky, Joseph, Lawrence, pay certain sum to	356	
McHugh, Thomas, F., and Lois Mary, Stow, conveyance of land	522	
Medeiros, Manuel Michael, Fall River, overpass,	29	
Medical		
care and assistance, benefits to mentally deficient and ill persons, hospitalization	329	44
fraud,	524	
examiners certificate, cremation, death outside state	319	
facilities, health care, determination of need	541	
information, disclosure of,	272	
providers, ninety day billing to department of public welfare	329	26
Medicare, supplemental insurance commissions, limitation	558	
Medicine, board of registration, investigations by	213	
practice of	374	
Melnik, Patrick J. and Alice E., Northampton, conveyance of land	128	
Melrose, city of (see Cities and towns)		

	Chap.	Section
MENTAL HEALTH, DEPARTMENT OF:		
capital outlay program, certain facilities upgrading, consent decrees	537	
conveyance of land to Belchertown	414	
small farm demonstration and training center, lease of lands	475	
Mentally ill persons, unemployment compensation	230	
Mesne process, attachment, real estate, notice deposit	152	
Metropolitan Area planning council, tax assessments	41	
METROPOLITAN DISTRICT COMMISSION:		
Ashland, town of, easements, sewer purposes	481	
Barre and Oakham, towns of, compensation, land valuation	401	
Clinton, wastewater treatment plant in	509	
Fiedler, Arthur, memorial statue, Boston, site acquisition	567	
Framingham, permanent right of way easement, conveyance	568	
leasing of land, television and radio transmission towers	472	
Massachusetts Bay Transportation Authority, easements, to, Red Line extension,	504	
Middlesex county of, conveyance of land to	410	
Nachef, John, P., conveyance of land	503	
New Salem, sanitary landfill facility leased parcel	246	
penalty, fines, rules and regulations,	106	
Quabbin Reservoir advisory board, establishment	329	72
Randolph, Disabled American Veterans Building Corporation, conveyance of land	523	
Southborough, Brandano, Helen, M., conveyance of land	548	
transfer of land from, to Waltham, highways	57	
MIDDLESEX COUNTY:		
appropriations	555	
hospital	(346 (562	
conveyance of land to, from metropolitan district commission,	410	
Marlborough, district court of, adjustment of financial records, chief probation officer,	9	
probate and family court department, additional appointments, Judges	575	
Milford, town of (see Cities and towns)		
Milton, town of (see Cities and towns)		
Minors, alcoholic beverages, furnishing to persons under 20 years, crime	193	
voter accompanied by	168	
Molds, dies or forms, transfer of rights and titles	528	
Molloy, Don G., blind person, registered as funeral director,	239	
Montague, town of (see Cities and towns)		
Morin, Anthony J. and Harriet G., North Adams, conveyance of land	138	

	Chap.	Section
Mortgage loans, business corporations, sale or exchange of assets,	494	
certain, made or acquired by banks or credit unions	335	
certificate of title,	448	
cooperative banks, home improvement loans, limitations	74	
credit unions	250	
energy improvements to real estate, increase existing	78	
foreclosure, notices	318	2
home mortgage, interest, cooperative banks	67	
points, restrictions	385	
trust companies, real estate loan	407	
MOTOR VEHICLES:		
blood tests and analyses, driving while intoxicated	383	
Brookline, parking bylaws	190	
excise tax, reduction	580	9
finance charges, retail sales of,	136	
laws, violations, fines by mail	31	
licenses to operate trailers, gross vehicle weight	110	
Massachusetts Bay Transportation Authority, length and width of buses	163	
noncommercial passenger, special fuel, license exemption	544	
operation of, by juvenile delinquents, crimes and offenses, drivers licenses	95	
operators		
fees for licenses and permits	329	56
hearings, failure to appear	447	
special registration plates, congressional medal of honor recipients	450	
registry of, fees, payment by check	394	
school buses, extra curricular activities, transportation	68	
special service passenger vehicles	370	
Springfield, towing charges	124	
theft of, investigations and investigators	451	
fraudulent insurance claim, investigation and prosecution	463	
uninsured and underinsured coverages of	532	
MUNICIPAL FINANCE:		
Farmers Home Administration loans, cities and towns to borrow outside debt limit	77	
Municipal liens, certificates, recording or registration	412	
Municipal light commission, confidential secretaries and administrative assistants in, civil service exemption	536	
municipal lighting plants, liens, nonpayments of gas, electric or steam service	551	
oil and other fuel to purchase without bids,	243	
Mutual Savings Central Fund, reports by member banks	17	

	Chap.	Section
Nachef, John, P., metropolitan district commission, conveyance of land to,	503	
Nahant, town of (see Cities and towns)		
NANTUCKET COUNTY:		
open burning, landfill site	425	
Natick, town of (see Cities and towns)		
National credit union administration board		
Credit unions, membership	431	
Liquidating Agent, closed credit unions	14	
Natural gas, pipeline company, construction and operation	(174	
	(175	
NATURAL RESOURCES, DEPARTMENT OF:		
fisheries and game, traps, identification and registration	84	
striped bass, possession and sale of,	215	
great ponds, public fishing allowed, reasonable access necessary	154	
marine fisheries, striped bass	215	
Needham, town of (see Cities and towns)		
New Bedford, city of (see Cities and towns)		
New Salem, city of (see Cities and towns)		
Newbury, town of (see Cities and towns)		
Newburyport, city of (see Cities and towns)		
Newton, city of (see Cities and towns)		
Newton Community Development Authority, conveyance of land, elderly housing	137	
NORFOLK COUNTY:		
appropriations	505	
hospital, 1980	338	
hospital, 1981	563	
unpaid bills	16	
Development and Tourist Council of Mass. Inc., change of name	120	
expenses and expenditures	337	
land acquisition, Foxborough, highway purposes	19	
probate and family court department of trial court judges, additional appointments	575	
register of deeds, administrative assistant	498	
retirement board, Thibodeau, Francis, A., pension credit	469	
North Adams, city of (see Cities and towns)		
North Berkshire Industrial Development Commission, acquisition, construction, financing and disposition of projects	326	
North Purchase Cemetery Association, conveyance of land, Woodlawn Cemetery Association	209	
North Raynham Water District, calling of meetings	123	
Northampton, city of (see Cities and towns)		

		Chap.	Section.
Norwood, town of (see Cities and towns)			
Nurses, salary differentials for certain state services		329	35
Nursing homes, medical information, disclosure of,		272	
Abuse of patients		479	

O.

Oakham, town of (see Cities and towns)			
Occhipinti, Frank, A., in favor of	Resolve	9	
Officers: counties of (see Counties)			
police (see Police Officers)			
state (see Commonwealth)			
Old Town Water District, Newbury, redefining boundary lines of,		73	14
open spaces, unused for public travel, developments		182	

P.

Parole board, violations, drug		436	
membership of,		88	
Patenaude, Joseph, R. Webster, bridge		282	
Patients, abuse of, long term care facilities		479	
Pearl Harbor Day		140	
Pembroke, town of (see Cities and towns)			
Personnel administration, provisional police officers, employment		108	
Petrocelli, Philip A. Square, Boston		93	
Pharmacy, interchangeable drug option instructions		329	23
drugs amd medicine, prescriptions, interchangeability of drugs		291	
temporary restricted license, registration		135	
Phencyclidine, PCB or angel dust, use, fines and penalties		241	
physicians, child abuse or neglect, reports		434	
medical information, disclosure of		272	
use of drugs		291	
Pierce, Marion K., Groton, easements		515	
Pilotage, rates, Port of Boston		162	
Pimp or purveyor, penalty for, increasing		409	
Pittsfield, city of (See Cities and towns)			
Platinum, sale or purchase of		400	

Plum Island Water District, Newbury, Newburyport, establishing	73	
membership of	364	
Plymouth, town of (see Cities and towns)		
PLYMOUTH COUNTY:		
airplane, forest fire detection and public safety purposes	13	
appropriations	433	
hospital	373	
promotional activities, limitations	7	
unpaid bills	4	
correction officers collective bargaining agreement, implementation	276	
Nurses Association, collective bargaining contract	3	
public safety training academy, loan	517	
POLICE DEPARTMENT:		
Agawam, chief of police in, subject to civil service, election	334	
daily departmental logs	142	
POLICE OFFICERS:		
binding arbitration	580	10
Boston, widows of, increased benefits to, pensions	323	
interview of rape victims by	195	
Lanesborough, civil service, election	127	
Ludlow, Vigneault, Kenneth, eligibility	274	
Newburyport, Rocco, Richard R., eligible for appointment	247	
provisional, employment	108	
special rules and regulations	399	
Ponds, Great, aircraft, use regulation	194	
fishing, hunting and boating	154	
Pondville, hospital, sale or lease of	519	
Port of Boston, pilotage rates	162	
Powers, Leo J., Lynn, reinstatement, public works department	535	
PROBATE AND FAMILY COURT DEPARTMENTS:		
additional justices, appointments, Barnstable, Bristol, Essex, Middlesex and Norfolk county divisions	575	
election day sessions, holidays, closing	70	
estates, small, informal administration	126	
fees charged by, waivers for indigents	539	
Hampshire division, assistant registers	238	
appointment of one messenger	237	
Health Service Corporations, payment of claims due to esatates of deceased subscribers by	212	
inheritance rights of certain illegitimate children	396	
legal representative, payment of savings, checking and other deposits, in name of deceased depositors	218	
orders of support, alimony, wage assignment	197	
property of persons who have disappeared or absconded	178	

	Chap.	Section.
Psychologists, commitment and competency examinations, Bridgewater state hospital	571	
school, tenure of,	520	
Public accommodation, place of, guide dogs, muzzles	71	
Public employees, retired, cost of living adjustment	542	
Public grounds, unused for public travel, development	182	
PUBLIC HEALTH, DEPARTMENT OF:		
cancer registry	393	
cremation, death outside state	319	
hazardous waste materials, disposal of	508	
licensing of dogs without a certificate of innoculation for rabies	100	
long term care facilities, abuse of patients or residents in	479	
medical facilities, determination of need	541	
pupil testing for postural defects	111	
radiation non-ionizing, registration of sources of	474	
Tuberous Sclerosis, newborn children, testing	455	
Public hearings, published notices of	220	
PUBLIC SAFETY, DEPARTMENT OF:		
elevators	324	
fees, licensing, increasing	499	
firefighting units, certification of	304	
hazardous waste materials, disposal of	508	
rules and regulations, special police licensed by	399	
PUBLIC UTILITIES, DEPARTMENT OF:		
assessments upon public utilities, increasing	349	
licensing special service passenger vehicles by	370	
natural gas pipeline company construction and operation	(174 (175	
oil to coal, conversion of generating facilities	464	
PUBLIC WELFARE, DEPARTMENT OF:		
auditing bureau, powers	514	
community service areas, directors, qualifications	266	
drugs, interchangeable	329	23
elective surgery, second medical opinion	329	24
homeless persons, facilities providing food and shelter, public assistance	36	
juvenile delinquents, care and protection	181	
medical care and assistance, fraud and deceit	524	
social service providers, ninety day billing to	329	26
PUBLIC WORKS DEPARTMENT OF:		
flood control		
damage reimbursement funds, removal of restrictions	570	
projects land, abandonment to United States	94	
highways, state		
acquisition of land from		
Gardner	420	
Sudbury	229	
construction funds	570	

	Chap.	Section
cost of improvements adjacent to	477	
land transfer from		
Charlemont to	252	
Sutton to	369	

Q.

Quabbin Reservoir Advisory Board, Metropolitan District Commission to establish	329	72
Quincy, city of (See Cities and towns)		
Quinsigamond, Lake, license, maintaining shoreline	476	

R.

Races and Regattas, boats, emergency aid, liability of	317	
Racing days, Hampden county, awarding	76	
Radiation, nonionizing, registration, sources of	474	
Randolph, town of (see Cities and towns)		
Rape and related offenses, penalties, compensation, sexual offenses of children	459	
police interviewers	195	
Rate setting		
day care services	329	18,19
hospital charges	540	
procedures	287	
Rates, pilotage, port of Boston	162	
Raynham, town of (see Cities and towns)		
Real Estate, conveyance of, evasion of state sanitary or building codes or zoning laws	132	
loans, trust companies,	407	
Recall Elections	226	
Dudley, town of	226	
Fall River, city of	292	
Spencer, town of	21	
Tisbury, town of	377	
Records, police daily departmental logs	142	
Redevelopment		
North Adams, land conveyance in, removal of restriction	325	
North Berkshire Industrial Development Commission, powers and duties	326	
Regional planning commission, Lower Pioneer Valley, withdrawal by town of Granville	6	

	Chap.	Section.
Register of Deeds, Berkshire county, northern district, adjustment of accounts	8	
Norfolk County, an administrative assistant to	498	
Registrars of voters, nomination papers, certification of,	134	6
certification, objections, time for filing	134	
insertion of correction designation of districts	134	
presidential elector, filing date	134	3
presidential primary, filing date	134	5
Registry of deeds,		
deposit of notice, land taking, mesne process	152	
municipal lien certificates, recording registration	411	
Norfolk county, expenses and expenditures	337	
Worcester county, computer system purchase, authorization of bonds and notes	153	
Registry of motor vehicles		
fees, payment by check	394	
Congressional Medal of Honor, recipients special registration plates	450	
Reichwein, Douglas, Wareham, appropriation	309	
Renewable energy source property, income tax-state, credit	485	
Republican committee Lunenburg, membership	205	
Resolves (See Acts and resolves)		
Resource recovery facility, Stoughton, referenda	22	
RETIREMENT AND PENSIONS:		
age of retirement, building elevators and district engineering inspectors	46	
appeal from involuntary retirement	329	66-68
banks and banking, officers and employees, cost-of-living	372	
benefits, employment security	518	
Blue Hills Regional Vocational School, employees retirement system	556	
contributory retirement system, surviving children benefits, age	429	
Greater Lawrence Sanitary District, employees	556	
Massachusetts Turnpike Authority, deferred compensation program, investments	176	
Norfolk county retirement board, Thibodeau, Francis A., credit pension purposes	469	
public employees		
disability, total	329	65
investments mortgage pass-through securities	491	
municipal boards, vacancies	316	
retired, cost-of-living adjustments	542	
self-employed individuals, trust company management	167	
voting rights	170	
Westwood, Sadler, Louis, payments	421	
REVENUE DEPARTMENT OF:		
overpayments and underpayments, interest	27	

	Chap.	Section
property tax appeals, equalized valuations	456	
Revere, city of (see Cities and towns)		
Rifles (see Firearms)		
Rivers (see Waters and waterways)		
Rocco, Richard, R., Newburyport, appointment as police officer, maximum age exception	247	
Ryan, William, H., service credit retirement	457	

S.

Sadler, Louis, Westwood, retirement payment	421	
Safe deposit boxes, banks, insurance	484	
SALES:		
contracts		
cities and towns, bids and bidding	217	
standard, inception time, fire insurance	104	
credit unions, assets and investments, loans	79	
dies, molds or forms	528	
finance charges, motor vehicles, retail dealers, limitations	136	
gold, silver and platinum, records	400	
insurance policies	386	
medicare supplemental	558	
resale of tickets, theaters, shows and exhibitions	460	
retail installment, interest	470	
securities	362	
tax, collection of transient locations	395	
transfer of rights and title	528	
Sanitary landfill, New Salem, facility, lease parcel of land to Metropolitan district commission, for	246	
Sargent, Richard, Cohasset, appropriation	2	
Saugus, town of, (see Cities and towns)		
SCHOOLS:		
Belchertown State, leasing of land and buildings, small farm demonstration and training center	475	
teachers, Blackstone-Millville Regional District professional employees, compensation	442	
Officers and employees, summer compenstion	440	
Blue Hills Regional Vocational, employees retirement systems,	556	
Bristol County Agricultural, equipment, funds	449	
building assistance, rehabilitation expenses	329	61
buses, transportation, extracurricular activities	68	
employees of school committees, cities or towns, public employer, claims and indemnity procedures	151	

Essex Agricultural and Technical Institute, borrowing funds, energy conservation improvements 165
Lawrence, renovation and construction 340
local departments, annuity contracts for employees of, 564
Milford, public high, exemption from regulations 368
Milton, supervisor of custodians and maintenance, civil service exemption 404
officers, liability, deposits 366
prayer or meditation, silent period 144
psychologists, tenure 520
pupil testing for postural defects 111
Tewksbury, schoolteachers, professional employees, salaries and compensation 112
veterinarian, licenses, permits 428
Worcester, funding collective bargaining agreements 164
Scituate, town of (see Cities and towns)
SECRETARY, STATE:
acts and resolves, distribution 281
articles of consolidation or merger, business corporations 365
filing, corporations 245
fiscal effect statement, regulations 329 28
listing, annual, persons residing within commonwealth 269
Marlborough, reapportionment of wards 273
radiation, registration, listing sources 474
securities, sale of 362
Steamship Authority, Woods Hole, Martha's Vineyard and Nantucket, Finance Advisory Board membership 48
Taunton, ward redivision plan 139
University of Massachusetts, transfer land to, state archives 389
Securities, sale of 362
Service charges (see Wages)
Sewer districts (see Districts)
SEWER AND DRAINS:
Cohasset, sewage treatment plant, construction 116
Groveland, water commissioners to act as sewer commissioners 419
Hingham, North Sewer District, name changed to Hingham Sewer District 235
Maynard, sewerage treatment plant, anticipation notes 348
Metropolitan District Commission, convey to town of Ashland certain easements for sewer purposes, 481
Montague, easement, division of fisheries and wildlife 391
Nahant, construction, sewerage pumping station and sewer lines (62
(242
Sharon, drainage system 371
Stoughton, installment payments, interest 417

	Chap.	Section
Sharon, town of (see Cities and towns)		
Shelburne Fire District, loans, fire equipment	405	
Sheriffs, fees, service of civil process	321	
Silver, sale or purchase of	400	
Simon's Rock Early College, merger, Bard College	92	
Sirrico, Arthur, Memorial Playground, Plymouth, purchase memorial plaque	285	
Small Farm Demonstration and Training Center, Belchertown State School, lease of land for	475	
Social service, providers, 90 day billing limitation exception	329	26
SOCIAL SERVICES, DEPARTMENT OF:		
children, state wards	478	
Solid waste, South Essex Solid Waste Disposal District, further extending time to be created	1	
Soltis, James, Mashpee, pay a certain sum of money to	443	
Somerville, city of (see Cities and towns)		
South Essex Solid Waste Disposal District, further extending time to be created	1	
Southborough, town of (see Cities and town)		
Spencer, town of (see Cities and towns)		
Springfield, city of (see Cities and towns)		
Stadium Liquors, Hadley and Amherst, sale of intoxicating liquors in both towns	82	
STATE EMPLOYEES:		
affirmative action procedures	329	54
building, elevator and district engineering inspectors, retirement age	46	
Correction Department, employee indemnification	496	
educational institutions, compensation and salaries	303	
elective or appointive public office, cities, towns and counties, additional employment	10	
group insurance programs, refunds to members	150	
Lappin, Peter, H., state service, credit	473	
maternity leave of absence	343	
mileage allowance	329	7
STATE FINANCE:		
appropriations	329	
capital outlay	537	
supplemental	(145 (327 (339 (354 (538 (577 (578	
Stevens, J.P., & Company, Inc., boycott by commonwealth	329	42
Stocks, railroads and gas companies, corporate ownership limit	141	
Stockwell, Constance, in favor of, Resolve	10	

	Chap.	Section.
Stoughton, town of (see Cities and towns)		
Stow, town of (see Cities and towns)		
Suburban Credit Union, merger into Union Warren Savings Bank,	345	
Sudbury, town of (see Cities and towns)		
SUFFOLK COUNTY:		
cooperative extension service of, employees group insurance	397	
SUPREME JUDICIAL AND SUPERIOR COURTS:		
fees, increases, waivers for indigents	539	
Superior Court, Lee, Sarah E., vacation of judgment	422	
support orders, alimony, wage assignments, motions	197	

T.

Taddeo, Edward, R. Bridge, Natick	380	
Tanguay, Roger J., Tewksbury, police officer, eligibility	37	
Taunton, city of (see cities and towns)		
TAXATION:		
abatements, refunds	406	
administrative procedures changes	403	
Barnstable county	188	
businesses, overpayment and underpayments, interest	27	
cities and towns, agreements, banks, collection, accounts payable	187	
city, town or district tax rate, prohibition of change	413	
collection	64	
deductions, charitable giving	329	75
Hampden county, supplemental appropriations and tax levy	26	
Malden	249	
property tax collector, payment to treasurer, monies received	97	
assessments		
Central Berkshire County Development Corporation, exemption tax	280	
charities and trust	560	
collection	64	
energy costs, exception to spending limits	206	
houses of worship, exemption of,	411	
Lowell, assessments, 100% evaluation implementation, appropriation and bonds	259	
tax appeals, equalized valuation	456	
sales, collection of, transient locations	395	
farm tractors	557	
Tedeschi Realty Corporation, Braintree, conveyance of land	357	

	Chap.	Section
Tenants (see Landlord and Tenant)		
Tewksbury, town of (see Cities and towns)		
Thibodeau, Francis A., Norfolk county retirement board, pension credit	469	
Tiffs Package Store, Inc., Webster, all alcoholic package store license	156	
Tips (see Wages)		
Tisbury, town of (see Cities and towns)		
Torts, interest, judgments	322	
traffic commission, Malden parking, residential areas	233	
Trailers, licenses	110	
TREASURER, COUNTY:		
borrowing for court facilities	329	43
Bristol temporary notes	23	
Tri-City Office Equipment Corporation, payment, debt	12	
payment, miscellaneous unpaid debts	11	
Essex		
Appropriations	458	
Schoolteachers, backpay	(275 (277	
Norfolk		
appropriations	16	
expenditures and expenses	337	
TREASURER, STATE:		
abandoned property		
life companies		
records examinations by, unclaimed funds reports to	(130 (178	
Dighton, town of, reimbursement, veterans services benefits	329	81
Emergency Finance Board	552	
removal, mental illness	30	
Walsh Contracting Corp., payment, construction work	resolve 7	
Trial courts, land court department, real estate plans, delivery to court by tax assessor	180	
administrative justices, responsibilities	105	
fees, increases, waivers for indigents	539	
Trust funds, cities or towns, investments of, savings institutions	15	
Trusts, charities, exemptions	560	
Tuberous Sclerosis, newborn children and minors, testing of	455	
Tully, Joe Forum, Billerica, University of Lowell ice hockey rink	289	

U.

Unemployment benefits (see Employment security law)
Union Warren Savings Bank, merger Suburban Credit Union 345
Unions, AFL-CIO-CLC., professional firefighters, time off, elected responsibilities 101
unions, credit (see Credit Unions)
United States, flood control projects land, abandonment by state 94
Urban Heritage State Parks, establishment of 512
Utilities public, assessments by D.P.U 349
(see also Public Utilities)

V.

Vehicles (see Motor vehicles) 119
Venue, consumer protection actions, 119
VETERANS:
Randolph Chapter #39, Disabled American Veterans Building Corporation, metropolitan district commission to convey land in 523
service benefits, adjustment increase, AFDC 329 (29 (96
Vigneault, Kenneth, Ludlow, certification as police officer 274
voters, (see Elections)

W.

Wages, compensation and salaries, gratuities, employers share 301
Waltham, city of (see Cities and towns)
Wareham, town of (see Cities and towns)
Washington, Francis, D., and Lee, Sarah E., vacation of judgment 422
Water supply,
Danvers, commercially zoned land, tax assessments-special, equipment 312
easements, private roads, utility service 251
pollution control, division of, 511
WATERS AND WATERWAYS:
Assabet River, improvement funding 437
Licenses and permits, commercial fishermen, lobsters 444

Worcester, Lake Quinsigamond, license, maintaining shoreline 476
Watertown, town of (see Cities and towns)
Wayland, town of (see Cities and towns)
Ways
Cohasset, private, construction or reconstruction 310
public excavation 502
improvements and ornamentations by cities and towns 182
Webb Park, Weymouth, appropriation for, 51
Webster, town of (see Cities and towns)
Weights and measures, gas, unit of measure for sale 554
prepackaged meat, poultry and fish 228
Welfare auditing, Bureau of, powers 514
Wenzel, Marcia, Wareham, appropriation 309
West Boylston, town of (see Cities and towns)
Westfield, city of (see Cities and towns)
Westfield, city of (see Cities and towns)
Weston, town of (see Cities and towns)
Westborough, town of (see Cities and towns)
Westwood, town of (see Cities and towns)
Weymouth, town of (see Cities and towns)
Whale, the marine mammal or emblem 54
Widows, police officer killed in line of duty, cost-of-living adjustment benefits, 323
Wielgus, Edward, Westfield, appropriation 115
Williams, Roy S., Wareham, appropriation 308
Winthrop, town of (see Cities and towns)
Woburn Development and Financial Corporation, establishment 553
Wood, fuel wood removal, by public, liability of land owner 53
Woodlawn Cemetery Association, conveyance of land to North Purchase Cemetery Association 209
WORCESTER COUNTY:
advertising, expense limit 311
appropriations 415
hospital 234
Bellingham, town of, district court jurisdiction of 550
criminal law and defense of civil actions, administration of 231

Y.

Young, Walter A., Memorial Bridge, Attleboro 58
Youth services, commissioner of, Acton, conveyance of land in, 576

Z.

Zanni, George S., Jr., Newburyport, tenure for 469

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 EIGHTY*†

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).

SECT. 14 added, 1979, 153 (designating the Boston terrier as the dog or dog emblem of the commonwealth).

SECT. 15 added, 1979, 333 (designating rhodonite as the gem or gem emblem of the commonwealth).

SECT. 16 added, 1980, 54 (designating the right whale as the marine mammal or marine mammal emblem of the commonwealth).

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*For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485-587 of the Acts and Resolves of 1932.

†References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 17 added, 1980, 189 (designating the dinosaur track as the fossil or fossil emblem of the commonwealth).

Chapter 3. — The General Court.

SECT. 1 revised, 1946, 130 § 1.

SECT. 5 amended, 1937, 364 § 1; 1939, 508 § 1; 1956, 31.

SECT. 6 revised, 1937, 364 § 2; amended, 1939, 424 § 1; repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 6A added, 1939, 424 § 2 (imposing restrictions on the granting of authority to use the designation of junior college); repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 7 revised, 1937, 364 § 3; first sentence amended, 1943, 549 § 2A; section revised, 1962, 750 § 1.

SECT. 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; fifth sentence revised, 1979, 159; section revised 1979, 677 § 1. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3; 1960, 783 § 3; 1963, 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; first paragraph revised, 1979, 686 § 1; second paragraph revised, 1979,

686 § 2. (See 1963, 506 §§ 5-7; 1969, 19 § 7; 1979, 686 § 4.) 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 1937, 360 §§ 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.

SECTS. 17-19 stricken out and four sections inserted, 1974, 333.

SECT. 18 amended, 1941, 433 § 1; 1943, 104; revised, 1945, 421 § 2; amended, 1962, 686. (See 1941, 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; last sentence revised, 1980, 107; paragraph added, 1978, 210 § 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. 4B added, 1979, 518 § 1 (establishing a procedure for the recission of certain statutes).; revised, 1980, 80 § 2. (See 1979, 518 § 2; 1980, 80 § 3.)

SECT. 4B added, 1980, 580 § 5 (providing for the revocation of certain statutes by cities and towns).

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; 1978, 12; 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; subclause (*h*) revised, 1978, 247; subclause (*i*) revised, 1979, 230; 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; clauses Fifty-second to Fifty-eighth added, 1978, 478 § 2. (See 1941, 509 § 9; 1945, 279; 1953, 319 §§ 9-40; 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; 1978, 478 § 343.

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; section revised, 1980, 281.

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.

SECT. 19 amended, 1979, 218.

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; section revised, 1979, 677 § 2. (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; section revised, 1979, 677 § 3. (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. 12CC added, 1978, 205 (relative to the annual observance of Public Employees' Week).

SECT. 12DD added, 1980, 140 (providing for the annual obsevance of Pearl Harbor 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

SECT. 15D added, 1958, 125 (relative to the annual observance of Massachusetts Art Week).

SECT. 15E added, 1958, 265 (relative to the annual observance of Susan B. Anthony Day).

SECT. 15F added, 1958, 662 § 1 (relative to the annual observance of Employ the Handicapped Week).

SECT. 15G added, 1960, 536 (relative to the annual observance of Youth Honor Day).

SECT. 15H added, 1964, 281 (relative to the observance of Boy Scout Week).

SECT. 15I added, 1964, 319 (providing for the observance of Liberty Tree Day).

SECT. 15J added, 1965, 274 (relative to the annual observance of Italian American War Veterans of the United States, Inc., Day).

SECT. 15K added, 1967, 241 (providing for the annual observance of cystic fibrosis week).

SECT. 15L added, 1968, 8 (relative to the annual observance of John F. Kennedy Day).

SECTS. 15M-15O added, 1969, 65 (providing for the annual observance of Battleship Massachusetts Memorial Day, Police Officers' Week and Keep Massachusetts Beautiful Month).

SECT. 15P added, 1969, 255 (providing for the annual observance of Traffic Safety Week); paragraph added, 1979, 636.

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 section 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. 15II added, 1978, 185 (relative to the annual observance of Armenian Martyrs' Day).

SECT. 15JJ added, 1978, 221 (relative to the annual observance of Fire Fighters Memorial Sunday).

SECT. 15KK added, 1978, 318 (relative to the annual observance of National Family Week).

SECT. 15LL added, 1979, 8 (relative to the annual observance of Licensed Practical Nurse Week).

SECT. 15MM added, 1979, 244 (relative to the annual observance of Vietnam Veterans Day).

SECT. 15NN added, 1979, 331 (relative to the annual observance of State Walking Sunday).

SECT. 15 OO added, 1980, 33 (relative to the annual observance of Saint Jean de Baptiste Day).

SECT. 15PP added, 1980, 63 (relative to the annual observance of Town Meeting 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; amended, 1966, 624 § 1; 1967, 739 § 1; 798 § 1; 1968, 681 § 1, 770 § 2; 1969, 252 § 3, 859 § 32A; 1970, 849 § 1; 1973, 1021 § 1, 1168 § 1; 1974, 833 § 1; 1975, 706 § 3; 1977, 950 § 1; 1979, 482; 1980, 329 § 103. (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; 1980, 329 § 133.)

SECT. 17A added, under caption, 1969, 704 § 1 (establishing a governor's cabinet); amended, 1970, 862 § 1; 1980, 329 § 104. (See 1969, 704 § 60; 1970, 862 § 6; 1980, 329 § 134.)

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. 18A added, 1980, 329 § 105 (establishing the board of regents of higher education). (See 1980, 329 § 133.)

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.

SECTS. 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.)

SECTS. 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.

SECTS. 46 AND 47 added, 1933, 336 § 2 (relative to the Greylock reservation commission). (See 1933, 336 § 3.)

SECT. 46 repealed and heading preceding said section stricken out, 1966, 444 § 5.

SECT. 47 repealed, 1966, 444 § 5.

SECT. 48 added, under caption, 1934, 374 § 2; third paragraph amended, 1955, 730 § 2; 1963, 801 § 5; first sentence revised, 1969, 766 § 3; amended, 1971, 116 § 5; 1972, 300 § 5; 1973, 426 § 5; 1974, 422 § 5; last paragraph revised, 1941, 596 § 3; section revised, 1974, 506 § 1; third paragraph, first sentence amended, 1977, 234 §§ 13-15; 872 §§ 10-12; fourth paragraph revised, 1975, 328; 1978, 494 § 2; 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.)

SECTS. 49-52 added, under caption, 1935, 475 § 2.

SECT. 49 amended, 1936, 307; 1939, 451 § 1; revised, 1941, 466 § 5; sentence inserted after fourth sentence, 1951, 596. (See 1941, 466 §§ 1-4, 7A, 8.)

SECT. 50A added, 1941, 466 § 7 (relative to the powers and duties of the state planning board formerly exercised by the metropolitan planning division). (See 1941, 466 §§ 1-4, 7A, 8.)

SECTS. 49-52 repealed, 1953, 409 § 2.

SECTS. 53-55 added, 1945, 619 § 2 (establishing a Port of Boston Authority). (See 1945, 619 § 4-11.)

SECT. 53, caption and section revised, 1953, 608 § 2 (establishing the Port of Boston Commission). (See 1953, 608 §§ 13-16.)

SECT. 53A added, 1953, 608 § 2 (establishing an advisory council to the Port of Boston Commission).

SECT. 54 amended, 1953, 608 § 3.

SECT. 55 amended, 1953, 608 § 4.

SECT. 56 added, 1946, 368 § 3 (establishing the Massachusetts Fair Employment Practice Commission); first sentence of third paragraph revised, 1951, 588; caption revised and section amended, 1950, 479 § 2; last paragraph amended, 1948, 411; section revised, 1963, 719 § 1; second paragraph amended, 1967, 844 § 2; third paragraph, first sentence revised, 1969, 766 § 4; amended, 1971, 116 § 6; 1972, 300 § 6; 1973, 426 § 6; 1974, 422 § 6; 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.)

SECTS. 57-59 added, 1946, 583 § 1 (relative to the Massachusetts Aeronautics Commission). (See G.L. 90 §§ 36-38, repealed by 1946, 583 § 2. See also 1946, 583 § 4.)

SECT. 57, first paragraph amended, 1963, 801 § 6; 1967, 844 § 3; third paragraph revised, 1971, 808; paragraph added, 1971, 841.

SECTS. 58A-59C aded, 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.)

SECTS. 61 AND 62 added, 1947, 466 § 2 (establishing the Massachusetts Public Building Commission); caption preceding section 61 stricken out, 1953, 612 § 2; both sections stricken out, 1953, 612 § 3. (See 1947, 46 §§ 4-6; 1953, 612 §§ 10-13.)

SECT. 63 added, 1947, 513 § 2 (establishing a commission on alcoholism); repealed and heading preceding section stricken out, 1954, 581 § 2. (See 1954, 581 §§ 4, 5.)

SECT. 64 added, 1948, 260 § 3 (establishing the State Housing Board); first two sentences revised, 1960, 776 § 11; fifth sentence revised, 1963,

801 § 7; sixth sentence stricken out and two sentences inserted, 1949, 577; sixth sentence, as so appearing, revised, 1963, 801 § 8; second paragraph amended, 1954, 396; caption preceding section stricken out, 1964, 636 § 1B; section repealed, 1964, 636 § 1B. (See 1948, 260 §§ 5, 6; 1964, 636 § 10.)

SECTS. 65-69 added, 1948, 310 § 2 (establishing the Youth Service Board). (See 1948, 310 §§ 30, 31; 542.)

SECT. 65 revised, 1952, 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).

SECTS. 65-69B and caption preceding section 65 repealed, 1969, 838 § 2. (See 1969, 838 § 74.)

SECTS. 70 AND 71 added, 1948, 476 § 2 (establishing the Board of Trustees of the Soldiers' Home in Holyoke). (See 1948, 476 §§ 3, 4.)

SECT. 70, first sentence stricken out and two sentences inserted, 1971, 240 § 1.

SECT. 71 revised, 1969, 470 § 1; last sentence amended, 1970, 888 § 14; section revised, 1971, 623 § 1; fifth sentence revised, 1978, 393 § 1. (See 1970, 888 § 31; 1978, 393 § 45.)

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.)

SECTS. 74-84 added, 1956, 602 § 2 (establishing the Massachusetts rehabilitation commission); stricken out and twelve sections inserted, 1980, 513. (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; 1978, 552 § 1.

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.

SECT. 81 amended, 1978, 552 § 2.

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; 1978, 552 § 3. (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; 1978, 478 § 3. (See 1974, 835 § 185; 1978, 478 § 343.)

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. 131, paragraph added, 1980, 329 § 98. (See 1980, 329 § 101.)

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; 1978, 166; first sentence amended, 1977, 321; stricken out and three sentences inserted, 1978, 478 § 4; 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. 167, definition of "Criminal offender record information" revised, 1977, 691, § 2; definitions of "Evaluative information," and "Intelligence information" added, 1977, 691, § 2.

SECT. 168, first paragraph amended, 1978, 478 § 5; revised, 1979, 702 § 1; paragraph added, 1973, 961 § 1; third paragraph revised, 1979, 702 § 2; fourth paragraph, third sentence stricken out and three sentences inserted, 1979, 702 § 3; sixth and seventh paragraphs strickenout and paragraph inserted, 1979, 702 § 4.

SECT. 169, paragraph added, 1973, 961 § 2; section repealed 1979, 702 § 5.

SECT. 170, paragraph added, 1973, 961 § 3; first paragraph revised, 1979, 702 § 6.

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.)

SECT. 178, revised, 1979, 702 § 7.

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; revised, 1979, 796 § 2; amended, 1980, 329 § 106. (See 1970, 862 § 6; 1973, 1168 § 40; 1979, 796 § 35; 1980, 329 § 134.)

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. section repealed, 1980, 329 § 107. (See 1980, 329 § 134.)

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; section revised, 1978, 552 § 4; paragraph added, 1979, 677 § 4. (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; first paragraph revised, 1979, 702 § 8. (See 1972, 802 § 76; 1974, 806 § 41.)

SECT. 19 amended, 1973, 1141 § 2; 1974, 806 § 9. (See 1974, 806 § 41.)

SECT. 19A added, 1979, 480 § 25 (relative to certain demonstration projects and programs for the purpose of energy conservation).

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; third paragraph, clause (6) revised, 1979, 567; paragraph inserted after fourth paragraph, 1979, 675 § 1. (See 1977, 234 § 198; 872 § 204.)

SECT. 33, first paragraph, first sentence revised, 1976, 409 § 2.

SECT. 34 amended, 1978, 552 § 5.

SECT. 34A added, 1976, 409 § 3 (establishing a rate setting commission hospital policy review board).

SECT. 35, first paragraph, clause (1) revised, 1980, 524 § 1; clause (2) amended, 1977, 945 § 1.

SECTS. 37-46 added, 1976, 409 § 4 (relative to the regulation of health care delivery systems).

SECT. 37, paragraph inserted after first paragraph, 1980, 329 § 55; paragraph inserted after second paragraph, 1979, 675 § 2. (See 1980, 329 § 134.)

SECTS. 4-48 added, 1980, 287 (further regulating certain procedures of the rate setting commission).

Chapter 7. — Executive Office for Administration and Finance (former title, Commission on Administration and Finance).

Title changed, 1962, 757 § 2.

SECT. 1 amended, 1962, 757 § 3.

SECT. 2 revised, 1948, 610 § 1; 1962, 757 § 4. (See 1948, 610 §§ 6, 7; 1962, 757 § 75.)

SECT. 3 amended, 1946, 591 § 4; revised, 1948, 610 § 2; 1951, 717 § 1; fourth sentence revised, 1955, 730 § 3; fifth and sixth sentences stricken out and sentence inserted, 1954, 332. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECT. 3A added, 1958, 661 (establishing the office of federal-state coordinator).

SECT. 3B added, 1975, 684 § 27 (relative to the cost of furnishing certain services); paragraph added, 1980, 572 § 1. (See 1975, 684 § 97; 1980, 572 § 417.)

SECT. 3C added, 1976, 311 (regulating fees for the use of state-owned ice skating rinks); second sentence amended, 1977, 829 § 213; section repealed, 1980, 329 § 76; 572 § 2. (See 1980, 329 § 134; 1980, 572 § 417.)

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; second paragraph amended, 1980, 579 § 63. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45; 1980, 579 § 66.)

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; 1978, 514 §§ 1, 1A, 1B; paragraph amended, 1979, 677 § 5; 1980, 579 § 1; sentence inserted after first sentence, 1980, 579 § 3; two sentences added, 1980, 579 § 2; 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; 1978, 514 § 287; 1979, 677 § 14; 1980, 579 § 66.)

SECT. 4B amended, 1968, 492 § 1; revised, 1974, 835 § 6; 1979, 677 § 6. (See 1974, 835 § 185.)

SECT. 4C amended, 1969, 146; first two sentences stricken out and three sentences inserted, 1969, 704 § 6; section repealed, 1980, 579 § 4. (See 1969, 704 § 60; 1980, 579 § 66.)

SECT. 4D, first two paragraphs revised, 1969, 704 § 7. first paragraph amended, 1979, 677 § 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; revised, 1978, 514 § 2; 1979, 702 § 9; section amended, 1980, 329 § 108. (See 1974, 835 § 185; 1978, 514 § 287; 1980, 329 § 134.)

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; 1978, 393 § 2; second paragraph amended, 1980, 579 § 60. (See 1973, 1229 § 13; 1978, 393 § 45; 1980, 579 § 66.)

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.)

SECT. 5 amended, 1979, 677 § 8.

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; revised, 1979, 542.

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. 13A added, 1979, 393 § 60 (requiring the comptroller to prepare an annual report of certain grants). (See 1979, 393 § 73.)

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; 1980, 579 § 5. (See 1980, 579 § 66.)

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; revised, 1978, 478 § 6. (See 1974, 835 § 185; 1978, 478 § 343.)

SECT. 28B added, 1979, 775 (establishing a certain employee assistance program).

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; first paragraph sentence added, 1978, 263; fourth paragraph first sentence revised, 1969, 704 § 10; amended, 1975, 311 § 3; third sentence revised, 1978, 291 § 1; seventh paragraph revised, 1969, 704 § 11; 1975, 311 § 4; 1978, 291 § 2; section stricken out 1980, 579 § 51. (See 1969, 704 § 60; 1975, 311 § 15; 1980, 579 § 66.)

SECT. 30D, third paragraph amended, 1962, 757 § 26.

SECT. 30E amended, 1962, 757 § 27.

SECT. 30F amended, 1962, 757 § 28.

SECT. 30H, sentence inserted after first sentence, 1955, 548; section amended, 1962, 757 § 29; revised, 1963, 473 § 1.

SECT. 30I amended, 1962, 757 § 30.

SECT. 30J amended, 1962, 757 § 31.

SECTS. 30C-30J repealed, 1969, 704 § 12. (See 1969, 704 § 60.)

SECT. 30K added, 1953, 636 § 2 (relative to the annual determination by the director of hospital costs of the all-inclusive per diem cost for care of patients in each hospital, sanatorium and infirmary licensed by the department); second paragraph amended, 1961, 586; 1963, 439 § 1. (See 1953, 636 §§ 7 and 9; 1963, 439 § 2.)

SECT. 30L added, 1956, 696 § 1 (establishing minimum weekly rates for persons in nursing and convalescent homes who are recipients of public aid); first paragraph amended, 1958, 480; section revised, 1958, 600; 1961, 545 § 1. (See 1956, 696 § 2; 1961, 545 § 2.)

SECT. 30L stricken out and new sections 30L and 30M inserted, 1963, 809 § 1 (establishing a board to determine the rates to be paid to convalescent and nursing homes or rest homes and transferring certain powers and duties of the director of hospital costs and finances to said board). (See 1963, 809 §§ 2, 3.)

SECTS. 30K, 30L AND 30M stricken out and new sections 30K to 30P, inclusive, inserted, 1968, 492 § 3 (establishing rate setting commission to set rates to be paid by governmental units under medical assistance programs).

SECT. 30K, paragraph (c) revised, 1971, 1076 § 16. (See 1971, 1076 § 22.)

SECT. 30L, paragraph inserted after fourth paragraph, 1970, 714.

SECTS. 30K-30P repealed, 1973, 1229 § 4. (See 1973, 1229 § 13.)

SECTS. 30B-30P inserted, 1980, 579 § 51. (See 1980, 579 § 66.)

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; amended, 1980, 514 § 1.

SECT. 30T, clause (3) amended, 1978, 514 § 3; section revised, 1980, 514 § 2. (See 1978, 514 § 287.)

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); section repealed, 1980, 579 § 6. (See 1980, 579 § 66.)

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.

SECTS. 39-48 stricken out and eight sections inserted, 1980, 579 § 7. (See 1980, 579 § 66.)

SECTS. 40E-42K added, 1980, 579 § 12 (improving the system of public construction). (See 1980, 579 § 66.)

SECTS. 43A-43G added, 1980, 579 § 15 (improving the system of public construction). (See 1980, 579 § 66.)

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; 1980, 579 § 16. (See 1938, 249 § 6; 1980, 579 § 66.)

SECT. 2 repealed, 1962, 757 § 35.

SECT. 4 amended, 1935, 251; revised, 1937, 84 § 1; 1938, 249 § 2; amended, 1971, 1004 § 1; 1980, 579 § 17. (See 1937, 84 § 2; 1938, 249 § 6; 1980, 579 § 66.)

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. 4A amended, 1980, 579 § 18. (See 1980, 579 § 66.)

SECT. 4B amended, 1980, 579 § 19. (See 1980, 579 § 66.)

SECT. 5 revised, 1935, 460 § 1; amended, 1938, 387 § 1; 1946, 591 § 5; first sentence revised, 1980, 480 § 1; section amended, 1980, 579 § 20. (See 1935, 460 § 2; 1938, 387 § 2; 1980, 579 § 66.)

SECT. 6 revised, 1953, 612 § 6; 1962, 590 § 1; 1969, 704 § 13; amended, 1980, 579 § 21. (See 1953, 612 §§ 10-13; 1969, 704 § 60; 1980, 579 § 66.)

SECT. 9 amended, 1938, 249 § 3; 1980, 579 § 22. (See 1938, 249 § 6; 1980, 579 § 66.)

SECT. 10 amended, 1938, 249 § 4; 1943, 440 § 1; 1962, 590 § 2, 757 § 36; 1980, 579 § 23. (See 1938, 249 § 6; 1980, 579 § 66.)

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; section repealed, 1980, 579 § 24. (See 1955, 317 § 2; 1960, 620 § 2; 1980, 579 § 66.)

SECT. 11 repealed, 1980, 579 § 25. (See 1980, 579 § 66.)

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); amended, 1980, 579 § 26. (See 1980, 579 § 66.)

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; section amended, 1980, 579 § 27. (See 1980, 579 § 66.)

SECT. 17A added, 1956, 107 § 1 (relative to the care, custody and preservation of certain flags carried in time of war); section amended, 1980, 579 § 28. (See 1980, 579 § 66.)

SECT. 17B added, 1973, 990 (providing for the exhibition of selected writings of John Adams); section amended, 1980, 579 § 29. (See 1980, 579 § 66.)

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; revised, 1979 ,677 § 9. (See 1949, 789 § 5; 1944, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; See 1976, 480 § 27.)

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.

SECT. 20 added, 1980, 579 § 50 (improving the system of public construction). (See 1980, 579 § 66.)

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; first sentence revised, 1978, 216 § 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. 27D added, 1978, 216 § 2 (providing for the registration of certain homesteads or tracts of land).

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; revised, 1979, 677 § 10. (See 1976, 480 § 27.) (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

SECT. 4 amended, 1980, 30 § 1.

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. 6 amended, 1978, 514 § 4. (See 1978, 514 § 287.)

SECT. 7 revised, 1948, 533.

SECT. 8 amended, 1932, 180 § 1; revised, 1943, 427 § 1.

SECT. 8A, last sentence stricken out, 1950, 314.

SECT. 9A added, 1979, 798 § 24 (requiring the forwarding of certain debt statements).

SECT. 11 revised, 1939, 499 § 2; amended, 1945, 292 § 2; revised, 1959, 612 § 1. (See 1959, 612 § 10.)

SECT. 15, second sentence revised, 1979, 717 § 1.

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; 1980, 30 § 2.

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. paragraph added, 1979, 790 § 1.

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.)

SECT. 35A added, 1979, 790 § 2 (establishing the State Arts Lottery Fund).

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; second paragraph, first sentence amended, 1980, 572 § 3 fifth paragraph revised, 1974, 244 § 1; amended 1977, 845. (See 1973, 1165 § 5; 1980, 572 § 417.)

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).

SECT. 47 added, 1980, 552 § 1 (placing the Emergency Finance Board within the general laws of the commonwealth and increasing the compensation to the members of said board).

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; revised, 1979, 677 § 11. (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; section revised, 1980, 580 § 3.

SECT. 6A added, 1975, 689 § 6 (relative to the filing of certain unusual reports).

SECT. 7 added, 1980, 580 § 4 (relative to the duties and responsibilities of the division of local mandates).

SECT. 12 revised, 1962, 733; amended, 1971, 943 § 5; 1975, 270; second sentence stricken out, 1978, 201; fifth and sixth sentences revised, 1979, 760.

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; revised, 1979, 677 § 12. (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. 3A repealed, 1978, 512 § 1. (See 1978, 512 § 16.)

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; section repealed, 1978, 512 § 1. (See 1933, 318 § 9; 1934, 291 § 6; 1978, 512 § 16.)

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; section repealed, 1978, 512 § 1. (See 1978, 512 § 16.)

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; repealed, 1978, 512 § 1. (See 1978, 512 § 16.)

SECT. 3E added, 1979, 806 § 2 (relative to certain mental health training programs).

SECT. 6, paragraph added, 1978, 512 § 2. (See 1978, 512 § 16.)

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; first sentence revised, 1978, 154.

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.)

SECTS. 8-8K stricken out and sections 8-8M inserted, 1979, 716.

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. 11G added, 1977, 363A § 51 (establishing a local consumer aid fund). (See 1977, 363A § 76.)

SECT. 11H added, 1979, 801 § 1 (relative to the protection of civil rights).

SECT. 11I added, 1979, 801 § 1 (relative to the protection of civil rights).

SECT. 12, paragraph added, 1978, 512 § 3. (See 1978, 512 § 16.)

SECT. 13 revised, 1948, 423 § 1; amended, 1972, 744 § 1; revised, 1977, 659 § 1; first sentence amended, 1978, 512 § 4; section revised, 1980, 231 § 1. (See 1948, 423 § 7; 1972, 744 § 5; 1977, 659 § 5; 1978, 512 § 16.)

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; revised, 1978, 367 § 60; seventh paragraph revised, 1980, 534 § 1. (See 1948, 423, § 7; 1972, 744 § 5; 1975, 835 § 4; 1976, 542 § 4; 1977, 659 § 5; 1978, 367 § 72.)

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; 1980, 525 § 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; 1977, 995 § 2; 1978, 367 § 61, 61A; amended,1979, 393 § 61; revised, 1980, 525 § 2; amended, 1980, 534 § 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; 1978, 367 § 72; 1979, 393 § 73).

SECT. 18 amended, 1948, 423 § 5; revised, 1977, 659 § 3; second sentence revised, 1978, 478 § 7. (See 1948, 423 § 7; 1977, 659 § 5; 1978, 478 § 343.)

SECT. 19 revised, 1978, 478 § 8. (See 1978, 478 § 343.)

SECT. 20 revised, 1957, 694 § 1; 1969, 145; 1973, 1006; 1978, 478 § 9. (See 1978, 478 § 343.)

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; 1980, 525 § 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; 1978, 478 § 10. (See 1948, 423 § 7; 1978, 478 § 343.)

SECT. 23, sentence added at end, 1970, 811; 1978, 478 § 10. (See 1978, 478 § 343.)

SECT. 24 amended, 1948, 111; 1978, 478 § 10. (See 1978, 478 § 343.)

SECT. 25 amended, 1937, 64 § 1; 1978, 478 § 10. (See 1978, 478 § 343.)

SECT. 25A amended, 1977, 86; 1978, 478 § 10. (See 1978, 478 § 343.)

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 12A. — OFFICE OF INSPECTOR GENERAL.

New chapter inserted, 1980, 388 § 1.

Chapter 13. — Department of Civil Service and Registration.

SECT. 1 revised, 1939, 238 § 1; repealed, 1969, 704 § 16. (See 1939, 238 §§ 52-55; 1969, 704 § 60.)

SECT. 2 revised, 1939, 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; first paragraph amended, 1979, 58 § 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, 693 § 1; amended, 1971, 1099 § 4; fourth sentence revised, 1961, 512; last sentence revised, 1969, 375; section revised, 1976, 436 § 1; fourth sentence revised, 1979 348 § 1; fifth sentence revised, 1977, 111; amended, 1979, 348 § 2. (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; section revised, 1978, 207. (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; amended, 1980, 572 § 4. (See 1980, 572 § 417.)

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; 1978, 568. (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; 1978, 514 § 5. (See 1953, 654 §§ 103-109; 1978, 514 § 287.)

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. 2, first paragraph amended, 1967, 844 § 8; second paragraph revised, 1978, 514 §§ 5A, 5B; second sentence stricken out, 1979, 677 § 13; 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; 1978, 514 § 287.)

SECT. 3, second paragraph amended, 1964, 460 § 1; fifth paragraph, second sentence revised, 1978, 393 § 3; paragraph added, 1980, 27 § 1. (See 1978, 393 § 45.)

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.

SECTS. 1A-1C added, 1947, 652 § 2 (establishing a board of education which shall have supervision and control of the department of education). (See 1947, 652 §§ 14, 15.)

SECT. 1A, first paragraph amended, 1978, 354 § 1; second paragraph revised, 1978, 354 § 2.

SECT. 1B revised, 1952, 585 § 1; second sentence revised, 1955, 730 § 22; 1960, 585; 1963, 801 § 33; section revised, 1978, 354 § 3. (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; revised, 1978, 354 § 4; 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; twenty-fourth and twenty-fifth paragraphs revised, 1978, 354 § 5; paragraph added, 1974, 255. (See 1965, 572 §§ 37-39, 41, 43-46, 53.)

SECTS. 1A-1D repealed, 1980, 329 § 109. (See 1980, 329 § 133.)

SECT. 1E amended, 1966, 251 § 1; revised, 1971, 1009 § 1; amended, 1972, 227; first paragraph, first sentence revised, 1977, 864 § 2; third sentence revised, 1978, 354 § 6; fifth paragraph amended, 1974, 107; eighth paragraph revised, 1979, 25.

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; eighth paragraph revised, 1978, 19 § 1; tenth paragraph amended, 1978, 19 § 2; eleventh paragraph revised, 1978, 19 § 3. (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; amended, 1978, 367 § 2 item 7010-0005; revised, 1980, 261 § 1; nineteenth paragraph amended, 1967, 759 § 2; paragraph inserted after twenty-first paragraph, 1978, 151. (See 1972, 802 § 77.)

SECT. 1H, first paragraph revised, 1966, 251 § 2; second paragraph, first sentence revised, 1978, 354 § 7; seventh paragraph revised, 1966, 428; amended, 1974, 855 § 5; paragraph added, 1973, 404. (See 1974, 855 § 8.)

SECTS. 1I, 1J AND 1K added, 1965, 641 § 2 (requiring the board of education to furnish assistance for the elimination of racial imbalance in the public schools).

SECT. 1I, second paragraph amended, 1966, 14 § 41; section revised, 1974, 636 § 1; second paragraph amended, 1978, 514 § 6. (See 1978, 514 § 287.)

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; 1978, 354 § 8. (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. 1M, clause 8 revised, 1978, 354 § 9.

SECT. 1R added, 1977, 565 § 2 (relative to school library and nonprint 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; amended, 1980, 170 § 1. (See 1945, 658 § 11; 1969, 704 § 60.)

SECT. 17 revised, 1945, 658 § 5. (See 1945, 658 § 11.)

SECT. 18 revised, 1945, 658 § 6. (See 1945, 658 § 11.)

SECT. 18A added, 1963, 466 § 1 (authorizing the purchase of annuities for employees of the department); amended, 1967, 769 § 1; 1973, 1175 § 3; first sentence revised, 1980, 329 § 110. (See 1980, 329 § 134.)

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; first sentence revised, 1978, 354 § 10. (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); revised, 1978, 354 § 11.

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, 1978, 354 § 12; 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. 19-39A repealed, 1980, 329 § 111. (See 1980, 329 § 133.)

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).

SECT. 46, first paragraph amended, 1978, 20 § 1; 354 § 13; second paragraph, sentence added, 1978, 20 § 2; third paragraph, 1978, 20 § 3; 354 § 14; fifth paragraph, sentence added, 1978, 20 § 4.

Chapter 15A. — BOARD OF REGENTS OF HIGHER EDUCATION.

New chapter inserted, 1980, 329 § 112. (See 1980, 329 § 133.)

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; 1980, 579 § 61; fourth paragraph amended, 1964, 645. (See 1969, 766 § 48; 1980, 579 § 66.)

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; 1978, 197 § 1. (See 1975, 500 § 5; 1975, 706 § 312.)

SECT. 19 amended, 1973, 1217 § 1; first sentence revised, 1975, 706 § 21; sentence inserted after second sentence, 1978, 197 § 2; sixth sentence revised, 1975, 706 § 22; seventh sentence revised, 1975, 706 § 23; paragraph added, 1980, 508 § 6. (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.)

SECT. 24B added, 1978, 197 § 3 (providing for a fee in lieu of taxes).

Chapter 17. — Department of Public Health.

SECT. 1 second paragraph two sentences added, 1978, 118 § 1.

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; 1979, 770 § 1; § 2; 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; 1979, 770 YSM 4.)

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, 1957, 482 § 2; paragraph added, 1963, 558 § 2; section revised, 1968, 504 § 1; second paragraph, two sentences added, 1980, 329 § 62. (See 1941, 725 §§ 4-6; 1980, 329 § 134.)

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; repealed, 1978, 3 § 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 § 1 (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 revised, 1978, 552 § 6; subsection (B) amended, 1969, 885 § 1; revised,

1978, 552 § 6; subsection (C) added, 1973, 1168 § 12; subsection (D) added, 1979, 393 § 62; second paragraph revised, 1979, 765 § 3. (See 1973, 1168 § 40; 1979, 393 § 73; 765 § 4.)

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; first sentence revised, 1978, 552 § 7; 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; amended, 1980, 266. 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. 5D revised, 1980, 524 § 2.

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; second paragraph, first sentence revised, 1978, 393 § 4. (See 1974, 835 § 185; 1978, 393 § 45.)

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; section repealed, 1978, 552 § 8.

SECT. 13 repealed, 1978, 552 § 8.

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); amended, 1978, 552 § 9. (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 18B. — Department of Social Services.

New chapter inserted, 1978, 552 § 10.

SECT. 4 revised, 1979, 795 § 1.

SECT. 20 added, 1979, 795 § 2 (relative to the advancement of certain funds).

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, second paragraph, two sentences added, 1978, 118 § 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, 116 § 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 sentence stricken out and two sentences inserted, 1979, 806 § 1; third paragraph revised, 1969, 28; amended, 1974, 835 § 24. (See 1974, 835 § 185.)

SECT. 11, fourth sentence revised, 1968, 189 § 1; section amended, 1978, 552 § 11.

SECT. 12, fourth sentence revised, 1968, 189 § 2; section amended, 1978, 552 § 12.

SECT. 14, first paragraph revised, 1979, 189 § 1; amended, 1980, 329 § 86; second paragraph revised, 1969, 647 § 2; amended, 1971, 1000 § 2. (See 1980, 329 § 134.)

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; revised, 1978, 367 § 71; first sentence revised, 1979, 189 § 2; amended, 1980, 329 § 85. (See 1973, 1210 § 39; 1978, 367 § 72; 1980, 329 § 134.)

SECT. 14C, first two sentences revised, 1975, 749; seventh sentence revised, 1978, 393 § 5. (See 1978, 393 § 45.)

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; section revised, 1980, 329 § 87. (See 1980, 329 § 134.)

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. (See 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; paragraph added, 1978, 118 § 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.)

SECT. 4, third paragraph, clause (c) revised, 1977, 538; 1979,393 § 63; third paragraph, clause (p) added, 1979, 320. (See 1979,393 § 73.)

SECT. 13, clause (2) amended, 1980, 566.

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; amended, 1980, 86. (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).

SECT. 13, definition of "Arbor" inserted, 1980, 378 § 1.

SECT. 14, first sentence revised, 1980, 378 § 2; fourth sentence revised, 1980, 378 § 3.

SECT. 15 revised, 1980, 378 § 4.

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, 706 § 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.)

SECTS. 6F-6G added, 1978, 387 (providing for non-criminal disposition of certain fish and game and marine fishery violations).

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. 8A added, 1979, 800 § 1 (relative to the cooperative survey program for groundwater assessments).

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; first paragraph, second sentence amended, 1980, 572 § 5. (See 1980, 572 § 417.)

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).

SECT. 17D added, 1980, 53 (limiting the liability of landowners who, without charge, make land available to the public for the removal of fuel wood).

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; section revised, 1980, 511 § 1. (See 1975, 706 § 312.)

SECT. 26A added, 1973, 546 § 2 (further regulating the administration of the Massachusetts Clean Waters Act); revised, 1979, 557 § 1; definition of "Commissioner" inserted, 1980, 511 § 2. definition of "Hazardous material" inserted, 1979, 705 § 1.

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; clause (14) revised, 1979, 705 § 2; last paragraph amended, 1980, 261 § 1A.

SECT. 28, subsection (a) revised, 1967, 873 § 3; 1973, 1074 § 1; subsection (b) amended, 1973, 1074 § 2; subsection (c) amended, 1973, 1074 § 3; subsection (*e*) added, 1979, 557 § 2.

SECT. 29 revised, 1970, 150; second paragraph revised, 1972, 601 § 1; amended, 1973, 1074 § 4; paragraph inserted after second paragraph, 1973, 1074 § 5;

SECT. 30, second sentence stricken out, 1979, 557 § 3.

SECT. 30A added, 1967, 873 § 5 (authorizing governmental units to construct and operate water pollution abatement facilities); amended, 1973, 546 § 4; revised, 1979, 557 § 4.

SECT. 31 amended, 1979, 557 § 5.

SECT. 32 amended, 1967, 873 § 6; 1973, 546 § 5; paragraph added, 1972, 601 § 3.

SECT. 33 revised, 1967, 873 § 7; 1973, 546 § 6; 1979, 557 § 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. 34 revised, 1979, 557 § 7.

SECT. 35, sixth and seventh paragraphs stricken out, 1979, 557 § 8.

SECT. 36 amended, 1973, 1074 § 7.

SECT. 37 amended, 1967, 873 § 8; two paragraphs added, 1980, 510.

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; paragraph added, 1979, 705 § 3.

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; paragraph (6), clause (a) amended, 1980, 572 § 6; clause (b), first sentence revised, 1980, 572 § 7. (See 1980, 572 § 417.)

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. 52 repealed, 1979, 704 § 1. (See 1979, 704 § 10.)

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.
SECTS. 57-58 repealed, 1979, 704 § 1. (See 1979, 704 § 10.)

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; last sentence revised, 1980, 354 § 15. (See 1975, 706 § 312; 1977, 872 § 204; 1980, 354 § 23.)

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; sentence added, 1979, 294. (See 1975, 706 § 312.)

SECT. 14 added, 1977, 625 § 1 (relative to certain dredging projects).

SECT. 15 added, 1980, 329 § 72 (establishing the Quabbin reservoir advisory board). (See 1980, 329 § 134.)

Chapter 21B. — Mining Regulation and Reclamation

New Chapter inserted, 1977, 957 § 1.

SECT. 4, second sentence amended 1980, 572 § 8. (See 1980, 572 § 417.)

SECT. 5, first paragraph, clause (1) revised, 1980, 572 § 9. (See 1980, 572 § 417.)

Chapter 21C. — Massachusetts Hazardous Waste Management Act

New Chapter inserted, 1979, 704 § 2.

SECT. 4, ninth paragraph revised, 1980, 508 § 1.

SECT. 7, first paragraph, second and third sentences stricken out, 1980, 508 § 2; second and third paragraphs revised, 1980, 508 § 2A; two paragraphs inserted after eleventh paragraph, 1980, 508 § 3.

SECT. 14 added, 1980, 508 § 9 (further regulating the disposal of hazardous waste materials).

Chapter 21D. — FURTHER REGULATING THE DISPOSAL OF HAZARDOUS WASTE MATERIALS.

New chapter inserted, 1980, 508 § 8.

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; revised, 1980, 354 § 16. (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; 1980, 354 § 23.)

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; criminal information a narcotics unit); revised, 1974, 639 § 1.

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, eighth sentence revised, 1979, 374 § 1.

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; subparagraph (2) revised, 1979, 297.

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. 9T added, 1979, 655 § 1 (relative to the salary of superior officers in the division of state police).

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 pipe-fitters and refrigeration technicians); second sentence revised, 1978, 34 § 1.

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; third paragraph amended, 1979, 661. (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; section revised, 1980, 462 § 1. (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; section revised, 1980, 445. (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; fifth sentence revised, 1979, 374 § 2. (See 1939, 261 § 25; 1969, 704 § 60.)

SECT. 5 amended, 1935, 479 § 3; third sentence stricken out, 1979, 374 § 3. (See 1935, 479 § 7.)

SECT. 7 revised, 1973, 1192 § 2; sentence added, 1979, 393 § 65. 1980, 146; (See 1979, 393 § 73.)

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.)

SECTS. 9O-9R added, under caption, 1938, 345 § 1 (incorporating the provisions of 1937, 436 relative to the labor relations commission as an addition to the general laws). (See 1938, 345 §§ 3, 4.)

SECT. 9P, first sentence revised, 1950, 709; 1955, 730 § 34; 1963, 801 § 57; 1969, 766 § 33; amended, 1971, 116 § 31; 1972, 300 § 29; 1973, 426 § 32; 1974, 422 § 37; stricken out and two sentences inserted, 1974, 609 § 3; 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, 1078 § 8.)

SECTS. 10A-10C added, under caption, 1957, 778 § 1 (establishing a health, welfare and retirement trust funds board); said sections repealed, 1958, 655 § 1. (See 1957, 778 § 3; 1958, 655 § 5.)

SECTS. 10D-10F added, under caption preceding section 10A, 1958, 655 § 3. (See 1958, 655 § 5.)

SECT. 10D, first sentence revised, 1969, 704 § 26. (See 1969, 704 § 60.)

SECT. 10F, third sentence stricken out, 1968, 201.

SECT. 11A added, under caption, 1934, 331 § 3 (division of occupational hygiene).

SECTS. 11B-11D added, under caption, 1937, 427 (establishing the Massachusetts development and industrial commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth).

SECT. 11C revised, 1941, 596 § 17A.

SECT. 11D, paragraph added at end, 1950, 652.

SECTS. 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. 11I, clause (1) amended, 1978, 262.

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. 11P-11S added, under caption, 1978, 483 § 1 (establishing programs for displaced homemakers). (See 1978, 483 § 4.)

SECT. 11P revised, 1980, 261 § 1B.

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; section revised, 1980, 506. (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; 1978, 521 § 1.

SECT. 4 amended, 1968, 761 § 4; 1971, 679; first sentence revised, 1977, 864 § 10.

SECT. 5, second paragraph amended, 1979, 62.

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).

SECTS. 11-12 repealed, 1978, 496 § 1.

SECT. 13 amended, 1978, 496 § 2.

SECT. 14 added, 1973, 1038 § 1 (authorizing financial assistance to certain public and private agencies which promote tourism); second paragraph amended, 1975, 188 § 2; 1980, 120.

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); stricken out, 1978, 496 § 3.

SECTS. 29-38 added, 1978, 496 § 3 (establishing the Massachusetts Industrial Finance Agency).

SECT. 29, two paragraphs inserted after fifth paragraph, 1980, 490 § 14; seventh paragraph stricken out, 1980, 490 § 14.

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; first paragraph amended, 1980, 490 § 15; paragraph inserted after first paragraph, 1980, 490 § 16.

SECT. 31, first paragraph, second sentence revised, 1977, 688 § 4.

SECT. 33, third paragraph, clause (3) revised, 1978, 526 § 4.

SECT. 34, definition of "Industrial Enterprise" inserted, 1978, 526 § 1; definition of "Designated Buildings" inserted, 1978, 526 § 2; first paragraph, clause (1) revised, 1978, 526 § 3; third paragraph, clause (5) revised, 1978, 526 § 5.

SECT. 35, paragraph (*b*) amended, 1979, 787 § 1; paragraph (*c*) amended, 1980, 490 § 17.

SECTS. 36-41 added, 1978, 521 § 2.

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 (*c*) revised, 1978, 499 § 1; clause (*e*) revised, 1977, 939 § 2; clause (*f*) added, 1978, 499 § 2.

SECT. 12, first paragraph, first sentence revised, 1975, 163 § 8.

SECT. 13, clause (1) revised, 1978, 499 § 3; clause (4) revised, 1977, 939 § 3; 1978, 499 § 4.

SECT. 15, clause (*a*) amended, 1978, 499 § 5; clause (*e*) amended, 1978, 514 § 7; clause (*f*) amended, 1978, 514 § 8. (See 1978, 514 § 287.)

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; first paragraph revised, 1979, 617 § 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; 1980, 572 § 10. (See 1980, 572 § 417.)

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 fittings 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; second sentence revised, 1980, 349.

SECT. 17A amended, 1978, 514 § 9. (See 1978, 514 § 287.)

SECT. 18 added, 1975, 684 § 90 (authorizing the imposition of assessments on certain companies). paragraph inserted after first paragraph, 1979, 796 § 3. (See 1975, 684 § 97; 1979, 796 § 35.)

Chapter 25A. — Executive Office Of Energy Resources

New Chapter inserted, 1979, 796 § 4. (See 1979, 796 § 35.)

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. 1980, 329 § 71. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1980, 329 § 134.)

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. 5 amended, 1978, 514 § 10. (See 1978, 514 § 287.)

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; 1980, 329 § 77. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204; 1980, 329 § 134.)

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; third paragraph amended, 1978, 393 § 6; last paragraph revised, 1979, 384. (See 1978, 393 § 45.)

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; revised, 1979, 505; 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; introductory paragraph revised, 1978, 393 § 7. (See 1974, 835 § 185; 1978, 393 § 45.)

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; second paragraph amended, 1978, 478 § 11; 1980, 88; 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; 1978, 478 § 343.)

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. 3 revised, 1936, 244 § 1; 1941, 596 § 23; 1961, 562 § 1; third sentence revised, 1979, 374 § 4; paragraph added after first paragraph, 1980, 354 § 17. (See 1936, 244 § 4; 1980, 354 § 23.)

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; amended, 1980, 579 § 40. (See 1941, 509 § 9; 1969, 704 § 60; 1974, 835 § 185; 1980, 579 § 66.)

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); first paragraph stricken out and two paragraphs inserted, 1979, 393 § 66; fourth paragraph revised, 1969, 704 § 28; 1973, 1230 § 2; stricken out and two paragraphs inserted, 1979, 393 § 67. (See 1969, 704 § 60; 1979, 393 § 73.)

SECT. 2D added, 1971, 813 § 1 (establishing the Local Aid Fund); revised, 1978, 367 § 58. (See 1978, 367 § 72.)

SECT. 2E added, 1977, 356 § 21 (Establishing Federal Highway Construction Program Fund).

SECTS. 2F AND 2G added, 1980, 579 § 41 (improving the system of public construction). (See 1980, 579 § 66.)

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; paragraph inserted after second paragraph, 1980, 579 § 42. (See 1969, 704 § 60; 1980, 579 § 66.)

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; amended, 1980, 579 § 43; paragraph added after first paragraph, 1980, 579 § 44. (See 1969, 704 § 60; 1980, 579 § 66.)

SECT. 5 revised, 1939, 502 § 4; 1941, 656 § 2; 1945, 242 § 5, 637 § 2; subdivision (1) amended, 1962, 757 § 42; section amended, 1980, 579 § 45. (See 1941, 656 § 17; 1945, 279; 1980, 579 § 66.)

SECT. 5A amended, 1939, 502 § 5; 1945, 242 § 6; last sentence amended, 1962, 757 § 43; section repealed, 1963, 473 § 2.

SECT. 5B added, 1974, 844 § 3A (providing for the preparation and transmittal of estimates of state revenue by the commissioner of administration); paragraph added, 1976, 283 § 3E. amended, 1980, 579 § 46; (See 1976, 283 § 34; 1980, 579 § 66.)

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).

SECTS. 6, 6A, 7, AND 7A stricken out and fourteen sections added, 1980, 579 § 47. (See 1980, 579 § 66.)

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; revised, 1980, 579 § 52. (See 1969, 704 § 60; 1975, 311 § 15; 1980, 579 § 66.)

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. 20B added, 1979, 268 § 1 (relative to the use of state funds for certain abortions).

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.)

SECTS. 26A-26B added, 1980, 579 § 47. (See 1980, 579 § 66.)

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 expendituresof certain funds for certain equipment).

SECT. 27C added, 1980, 580 § 2 (limiting cost obligations on cities and towns).

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 accummulated 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; clause (*a*) revised, 1980, 354 § 22B. (See 1974, 835 § 185; 1980, 354 § 22C.)

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. 41 amended, 1980, 579 § 48. (See 1980, 579 § 66.)

SECT. 45, first and second sentences amended, 1980, 578 § 15; (See 1980, 578 § 53.)

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, first paragraph revised, 1980, 578 § 16; paragraph added, 1965, 633; 1977, 336 § 4; two paragraphs added, 1978, 513 § 21. (See 1980, 578 § 53.) two paragraphs added, 1978, 513 § 21.

SECT. 49A added, 1978, 513 § 17 (providing for the issuance of minibonds); clause (1) revised, 1979, 519.

SECT. 50 revised, 1939, 502 § 15; 1941, 656 § 10; 1945, 242 § 14; amended, 1962, 757 § 51; revised, 1980, 578 § 17. (See 1941, 656 § 17; 1980, 578 § 53.)

SECT. 51 revised, 1980, 578 § 18. (See 1980, 578 § 53.)

SECT. 52 revised, 1954, 389 § 1; 1980, 578 § 19. (See 1954, 389 § 2; 1980, 578 § 53.)

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. 60 revised, 1975, 370.

SECT. 60A added, 1977, 336 § 6.

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 29A. — Financing the Judicial System.

New chapter inserted, 1978, 478 § 12. (See 1978, 478 § 343.)

SECT. 4 amended, 1980, 579 § 49. (See 1980, 579 § 66.)

Chapter 30. — General Provisions Relative to State Departments, Commissions, Officers and Employees.

Provisions relative to expenses incurred for certain meals by state employees, 1933, 174 § 8; 1934, 162 § 6; 1935, 249 § 7; 1936, 304 § 7; 1937, 234 § 6; 1938, 356 § 5; 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to the purchase of passenger automobiles, 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to expenses incurred by state employees in the operation of motor vehicles, 1939, 309 § 5; 1941, 419 § 5; 1943, 68 § 5, 370 § 5; 1945, 404 § 5; 682 § 4; 1946, 309 § 5; 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; repealed, 1978, 349 § 1. (See 1974, 835 § 185.)

SECT. 7B revised, 1978, 349 § 2.

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; first sentence revised, 1978, 393 § 8. (See 1978, 393 § 45.)

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; revised, 1978, 393 § 9. (See 1955, 643 § 12; 1969, 838 § 74; 1978, 393 § 45.)

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; 1978, 393 § 10. (See 1969, 838 § 74; 1978, 393 § 45.)

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. 9G added, 1979, 690 (authorizing leaves of absence for certain employees).

SECT. 11 revised, 1961, 18 § 1.

SECT. 13 revised, 1951, 409; 1964, 231 § 2; amended, 1972, 684 § 1; revised, 1980, 572 § 11. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 22A added, 1973, 1230 § 11 (requiring certain officers in charge of certain public units to submit annual reports); repealed, 1978, 210 § 2.

SECT. 23A added, 1952, 142 (relative to the appointment of trustees of state institutions to certain offices or positions therein).

SECT. 24 revised, 1937, 430; 1945, 508; 1946, 408; amended, 1954, 680 § 5; revised, 1955, 643 § 8; amended, 1962, 757 § 54. (See 1955, 643 § 12.)

SECT. 24A added, 1945, 565 (relative to compensation for state employees who are required to work on state-wide legal holidays); amended, 1946, 411; revised, 1948, 498; amended, 1963, 639; 1953, 400; revised, 1964, 423; second paragraph amended, 1969, 838 § 7. (See 1969, 838 § 74.)

SECT. 24B added, 1957, 753 § 1 (relative to the method of filling certain vacancies in the state service); amended, 1962, 757 § 55; 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 § 1; 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; amended, 1980, 579 § 53. (See 1956, 677 § 2; 1972, 774 § 12; 1980, 579 § 66.)

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; sixth paragraph, sentence added, 1978, 460. (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. 39Q AND 39R added, 1980, 579 § 62 (improving the system of public construction). (See 1980, 579 § 66.)

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 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 reallocation of certain offices or positions in the state classified system); repealed, 1956, 729 § 14. (See 1956, 729 §§ 15-21.)

SECT. 46B added, 1963, 775 § 3 (establishing a salary schedule for the professional positions in the pay plan of the commonwealth); repealed, 1966, 210 § 3. (See 1963, 775 §§ 4, 10; 1966, 210 §§ 4, 5.)

SECT. 47, last sentence revised, 1941, 656 § 12; same sentence stricken out, 1945, 637 § 6; section revised, 1948, 311 § 3; 1955, 643 § 4; repealed, 1974, 835 § 44. (See 1941, 656 § 17; 1945, 279; 1948, 311 §§ 4, 5; 1949, 406 § 3; 1955, 643 § 12; 1974, 835 § 185.)

SECT. 48 amended, 1954, 680 § 15.

SECT. 49 amended, 1954, 680 § 16; last sentence stricken out and three sentences inserted, 1962, 690; section amended, 1962, 757 § 68; last sentence stricken out and four sentences inserted, 1963, 240 § 1; section revised, 1974, 835 § 45; 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; 1978, 552 § 13; 1979, 795 § 3; 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; 1979, 795 § 5.)

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. paragraph inserted after first paragraph, 1980, 329 § 28. (See 1969, 808 § 12; 1970, 712 § 12; 1980, 329 § 134.)

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. 9 revised, 1978, 60 § 1. (See 1978, 60 § 2.)

SECT. 10 revised, 1977, 965; 1978, 60 § 1. (See 1978, 60 § 2.)

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; amended, 1978, 514 § 11; definition of "made public" added, 1978, 372 § 1. (See 1976, 397 § 8; 1978, 514 § 287.)

SECT. 11A ½, fourth paragraph, clauses (1)-(5) revised, 1978, 372 § 2; sixth paragraph, second sentence revised, 1980, 220 #YSM 1; seventh paragraph revised, 1978, 372 § 3; eleventh, twelfth and thirteenth paragraphs stricken out and four paragraphs inserted, 1978, 372 § 4.

SECT. 11B, fourth paragraph, clause (3) revised, 1976, 397 § 2; eleventh, twelfth and thirteenth paragraphs revised, 1976, 397 § 3; section stricken out and section 11A ½ 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.

Chapter stricken out and new chapter 31 inserted, 1978, 393 § 11. (See 1978, 393 § 45.)

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; amended, 1979, 77 § 1; 577 § 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. 1979, 77 § 2; 1979, 577 § 2.)

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; revised, 1978, 203; 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; fourth sentence revised, 1978, 344. (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; revised, 1978, 272 § 1; second paragraph amended, 1974, 304; revised, 1974, 835 § 81; 1975, 250; 639 § 1; 1978, 190; 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; second paragraph amended, 1979, 543; 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; revised, 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.)

SECT. 26, paragraph added, 1979, 265; revised, 1979, 554.

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; first sentence stricken out and two sentences inserted, 1979, 196. (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, 569 § 3; seventh sentence stricken out, 1965, 33 § 2; paragraph revised, 1965, 281; amended, 1974, 835 § 125; paragraph (h) added, 1957, 569; revised, 1959, 569 § 4; 1962, 776; amended, 1968, 637 § 6; first sentence revised, 1970, 72 § 5; paragraph (i) added, 1965, 33 § 3; paragraph (j) added, 1971, 179 § 4. (See 1955, 407 § 3; 1956, 629 § 3; 1969, 766 § 48; 1974, 835 § 185.)

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2; amended, 1955, 407 § 2; 1970, 72 § 6; revised, 1970, 711. (See 1955, 407 § 3.)

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service); amended, 1941, 166.

SECT. 45B added, 1941, 135 (requiring clerks of district courts to furnish certain information to the director of civil service); amended, 1945, 667 § 3; repealed, 1973, 171.

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1; amended, 1941, 257; repealed, 1945, 667 § 4.

SECT. 46A revised, 1959, 569 § 5; 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 officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49; revised, 1974, 835 § 130. (See 1974, 835 § 185.)

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of reemployment lists of persons separated from the official or labor service otherwise than by resignation 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; third paragraph, clause inserted after second clause, 1980, 536. third paragraph, clause inserted after twenty-fourth clause, 1980, 329 § 63. (See 1974, 835 § 185; 1980, 329 § 134.)

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; second sentence revised, 1978, 409 § 1. (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.)

SECT. 62, paragraph added, 1979, 648 § 1.

SECT. 62A added, 1979, 648 § 2 (relative to punishment duty for police officers and firefighters).

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; sentence added, 1978, 487 § 1; definition amended, 1980, 556 § 1;556 § 2; 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 § 2; 1973, 1003 § 2; 1978, 487 § 2; 1980, 556 § 3; definition of "Political subdivision" revised, 1948, 507 § 1; 1967, 597 § 4; amended, 1967, 814 § 1; 1969, 751 § 8; revised, 1971, 1012 § 3; 1972, 436 § 2; revised, 1973, 633 § 1, 767 § 2, 1003 § 3; 1975, 708 § 13; 1978, 487 § 3; 1980, 556 § 4; 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; revised, 1979, 681; definition of "System" revised, 1967, 597 § 5; 1971, 1012 § 4; 1973, 1003 § 4; 1978, 487 § 4; 1980, 556 § 5; definition of "Teacher" amended, 1951, 543 § 22; revised, 1952, 434 § 1; 1957, 516 § 1; definition of "Veteran" amended, 1950, 710; sentence added at end, 1951, 526 § 1; revised, 1954, 627 § 7; amended, 1954, 688 § 2; clause (*b*) revised, 1978, 393 § 12. (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; 1978, 393 § 45.)

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; revised, 1978, 487 § 5; 1980, 556 § 6; paragraph added, 1964, 532 § 2. (See 1973, 767 § 6.)

SECT. 3, subdivision (1), paragraph (a), clause (i) amended, 1970, 751; 1971, 94; last sentence revised, 1980, 170 § 2; clause (ii), last sentence revised, 1978, 523 § 1; 1980, 170 § 3;subdivision (2), paragraph (a), clause (iv) revised, 1951, 644 § 1; 1956, 609 § 1; amended, 1958, 321 § 2; revised, 1959, 381; amended, 1969, 740 § 1; clause (v) revised, 1951, 644 § 1; amended, 1969, 740 § 2; clause (vi) revised, 1947, 660 § 2; 1951, 644 § 1; amended, 1969, 740 § 3; clause (x) added, 1950, 600 § 2; clause (xi) added, 1952, 515 § 1; clause (xii) added, 1967, 597 § 7; first sentence revised, 1966, 622; clause (xiii) added, 1973, 1003 § 6; clause (xix) 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; 1979, 485 § 1; 1980, 329 § 88; 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; 1978, 442 § 14; amended, 1979, 485 § 2; subdivision (3), first sentence stricken out and two sentences inserted, 1947, 388 § 1; first sentence revised, 1949, 578 § 1 (see 1949, 578 § 1); subdivision revised, 1952, 428 § 1; 1954, 684 § 1; 1955, 695 § 1; first sentence revised, 1960, 535; subdivision (3A) added, 1946, 538 § 1; subdivision (4) revised, 1946, 403 § 2, 492; first sentence amended, 1947, 416; subdivision revised, 1951, 505 § 1; amended, 1954, 684 § 2; 1955, 695 § 3; paragraph added, 1971, 886; subdivision (5) amended, 1946, 481; revised, 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; 1978, 442 § 15; 1980, 329 § 134.)

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; paragraph added, 1979, 556 § 1; 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, 538 § 3; paragraph (*b*) amended, 1950, 809 § 1A; paragraph (*f*) amended, 1950, 809 § 2; paragraph (*g*) added, 1954, 492; stricken out, 1955, 590 § 2; subdivision (2) revised, 1957, 661 § 1; paragraph (*a*) amended, 1958, 321 § 6; 1960, 215; table in paragraph (*a*) revised, 1958, 321 § 7; paragraph (*d*) amended, 1958, 321 § 8; paragraph (*d*) amended, 1958, 321 § 9; subdivision (2) revised, 1961, 190 § 1; paragraph (*a*) revised, 1966, 274 § 1;

amended, 1967, 826 § 5; table in paragraph (*a*) revised, 1967, 826 § 6; paragraph (*b*) amended, 1967, 826 § 7; paragraph (*c*) amended, 1966, 274 § 2; 1967, 826 § 8; subdivision (3), paragraph (*a*) amended, 1966, 274 § 3; paragraph (*b*) amended, 1966, 274 § 4. (See 1950, 809 § 3; 1951, 783 §§ 2, 3; 1957, 661 § 4; 1959, 574 § 2; 1961, 190 § 3, 410 § 2, 444 §§ 1, 2; 1966, 256 § 2, 274 § 5.)

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; 1958, 321 § 10; 1964, 514 § 2; 1967, 826 § 9; subdivision (2) amended, 1958, 321 § 11; 1964, 514 § 3; paragraph (a) amended, 1967, 826 § 10; paragraph (b) amended, 1967, 826 § 11; paragraph (c) added, 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; 1978, 487 § 6; last sentence revised, 1980, 556 § 7; 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 ½) 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; 1978, 487 § 7; 1980, 556 § 8. (See 1950, 670 § 3; 1978, 566 § 6.)

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; first paragraph revised, 1980, 429. (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; first paragraph revised, 1978, 487 § 8; 1980, 556 § 9; 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; 1978, 487 § 9; 1980, 556 § 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 (3), paragraph (*a*) revised, 1980, 329 § 66; paragraph (*b*) revised, 1980, 329 § 67; subdivision (4), first paragraph amended, 1962, 391; 1975, 872; first sentence revised, 1978, 514 § 12; 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; 1978, 514 § 287; 1980, 329 § 134.)

SECT. 18, subdivision (1) revised, 1947, 467; 667 § 8; fourth sentence revised, 1978, 393 § 13. (See 1978, 393 § 45.)

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; paragraph (*h*), second sentence revised, 1978, 523 § 2; subdivision (4), paragraph (b) amended, 1971, 481 § 3; 1978, 523 § 3; sentence added, 1980, 316; paragraph (c) amended, 1950, 163; 1966, 266 § 1; paragraph (*c* ½) added, 1978, 364 § 1; paragraph (e) amended, 1973, 94; paragraph (f) added, 1960, 240; amended, 1966, 266 § 2; paragraph (*f* ½) added, 1978, 364 § 2; subdivision (4 ¼) added, 1971, 1012 § 6; amended, 1978, 523 § 4; subdivision (4 ½) added, 1967, 597 § 14; paragraph (*b*) amended, 1978, 523 § 5; paragraph (*g*) added, 1979, 136 § 1; subdivision (4 ¾) added, 1973, 1003 § 11; paragraph (*b*) amended, 1978, 523 § 6; subdivision (4 ⅞) added, 1978, 487 § 10; subdivision (4 ⅞A) added, 1980, 556 § 11; subdivision (4 ⅞B) added, 1980, 556 § 12; subdivision (5), paragraph (b) amended, 1956, 422 § 2; paragraph (e) revised, 1956, 609 § 3; paragraph (*h*) amended, 1979, 267 § 1; 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; sentence inserted after eighth sentence, 1978, 487 § 11; two sentences inserted after ninth sentence, 1980, 556 § 13; paragraph (j) added, 1948, 488 § 1. (See 1948, 488 § 2, 508 § 2; 1954, 642 § 2; 1978, 566 § 6; 1979, 136 § 2.)

SECT. 21, subdivision (1), paragraph (c), last sentence revised, 1967, 597 § 16; amended, 1971, 1012 § 8; revised, 1973, 1003 § 13; 1978, 487 § 12; 1980, 556 § 14; paragraph (*d*) added, 1980, 329 § 65; subdivision (2) amended, 1946, 432 § 3; sentence added, 1967, 597 § 17; 1971, 1012 § 9; 1973, 1003 § 14; 1978, 487 § 13; two sentences added 1980, 556 § 15; subsection 4, paragraph added, 1980, 329 § 64. (See 1978, 566 § 6; 1980, 329 § 134.)

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 (3A) inserted, 1979, 393 § 68; 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; paragraph (h) added, 1978, 487 § 14; paragraphs (i) and (j) added, 1980, 556 § 16. (See 1949, 560 § 3; 1954, 656 § 2; 1956, 409; 1957, 516 § 4; 1969, 849 § 79; 1978, 566 § 6; 1979, 393 § 73.)

SECT. 23, subdivision (1), paragraph (b), second sentence revised, 1957, 533; stricken out, 1961, 441 § 1; paragraph amended, 1975, 487; 768 § 1; paragraph (*c*) amended, 1979, 267 § 2; paragraph (d) added, 1961, 441 § 2; introductory paragraph amended, 1979, 342 § 18; clause (i) revised, 1972, 343 § 1; clause (*v*) inserted, 1980, 491 § 1; subdivision (2), paragraph (a), first sentence revised, 1967, 597 § 19; 1971, 1012 § 11; 1973, 1003 § 16; 1978, 487 § 15; 1980, 556 § 17; 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; clause (*v*) inserted, 1980, 491 § 2; paragraph (c) amended, 1960, 744 § 1; three sentences inserted after third sentence, 1977, 369; paragraph (*e*) amended, 1979, 267 § 3; paragraph (f) added, 1960, 744 § 2; subdivision (3) added, 1976, 269 § 2. (See 1978, 566 § 6; 1979, 342 § 19.)

SECT. 24, subdivision (1), first sentence revised, 1967, 597 § 20; 1978, 487 § 16; amended, 1971, 1012 § 12; revised, 1973, 1003 § 17; 1980, 556 § 18. (See 1978, 566 § 6.)

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; 1978, 487 § 17; 1980, 556 § 19; subdivision (5) revised, 1956, 525. (See 1950, 783 § 2; 1962, 682 § 20; 1978, 566 § 6.)

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; amended, 1978, 393 § 14. (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; 1978, 393 § 45.)

SECT. 58B added, 1956, 541 (providing that certain veterans eligible for retirement may exercise an option for the benefit of the surviving spouse); first sentence revised, 1957, 113 § 1; amended, 1968, 600 § 4; first two paragraphs revised, 1970, 697 § 1; paragraph added, 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. 65A revised, 1978, 478 § 13. (See 1978, 478 §§ 341, 343.)

SECT. 65C, sixth paragraph amended, 1978, 393 § 15. (See 1978, 393 § 45.)

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.)

SECTS. 65D-65F stricken out and new sections 65D-65G inserted, 1978, 478 § 14. (See 1978, 478, §§ 341, 343.)

SECT. 65D, paragraph (*f*) revised, 1979, 556 § 2.

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; 1978, 393 § 16. (See 1978, 393 § 45.)

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); amended, 1979, 791.

SECT. 90G added, 1978, 557.

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; revised, 1978, 478 § 15; 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; 1978, 478 § 343.)

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; third paragraph revised, 1978, 487 § 18.

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; paragraph (a), second and third sentences revised, 1980, 556 § 20; paragraph (c) revised, 1980, 542 § 1; paragraph (2), second and third sentences revised, 1978, 487 § 19. (See 1967, 408 § 4; 1971, 640 § 3, 743 § 2; 1972, 793 § 8; 1973, 1211 § 9; 1974, 724 § 2; 1975, 684 § 97; 1976, 126 § 3; 1980, 542 § 2.)

Chapter 32A. — Contributory Group General or Blanket Insurance for Persons in the Service of the Commonwealth.

New chapter inserted, 1955, 628 § 1. (See 1955, 628 §§ 2-4.)

SECT. 1 amended, 1977, 958 § 1.

SECT. 2, paragraph (a) revised, 1962, 193 § 1; paragraph (b) revised, 1956, 582 § 1; 1958, 301; 1958, 558 § 1; 1960, 534; first sentence revised, 1965, 637 § 1; 1969, 813 § 1; amended, 1972, 686 § 1; 1973, 770 § 1; 1974, 569 § 1; 1980, 397 § 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; first sentence revised, 1979, 698; 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; two sentences inserted afterfirst sentence, 1979, 268 § 2.

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; amended, 1980, 397 § 2.

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; ifth 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; two sentences inserted after first sentence, 1979, 268 § 3; 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; first paragraph, two sentences inserted after first sentence, 1979, 268 § 4.

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; two sentences inserted after first sentence, 1979, 268 § 5.

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; fourth paragraph, two sentences inserted after first sentence, 1979, 268 § 6.

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; two sentences inserted after first sentence, 1979, 268 § 7; second paragraph amended, 1975, 806 § 4.

SECT. 3A added, 1977, 900 (relative to self-insurers); two sentences inserted after first sentence, 1979, 268 § 8.

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; third paragraph, third sentence revised, 1980, 150.

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. 9D ½ added, 1978, 260 (relative to insurance coverage of the surviving spouse of an employee or retired employee of certain governmental units).

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); first paragraph, two sentences inserted after first sentence, 1979, 268 § 9; 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. 12, first sentence revised, 1980, 216.

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; first paragraph, clause (3) added,1979, 268 § 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; second paragraph, fourth sentence revised, 1978, 393 § 17. (See 1978, 393 § 45.)

SECT. 26, third sentence revised, 1962, 226.

SECT. 31, second paragraph amended, 1962, 458.

SECT. 38 revised, 1968, 181.

SECT. 41 revised, 1979, 134 § 1.

SECT. 42 repealed, 1979, 134 § 2.

SECT. 53 amended, 1978, 512 § 5. (See 1978, 512 § 16.)

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. 91 repealed, 1978, 512 § 6. (See 1978, 512 § 16.)

SECT. 92 repealed, 1978, 512 § 6. (See 1978, 512 § 16.)

SECT. 93, first sentence amended, 1978, 512 § 6A. (See 1978, 512 § 16.)

SECT. 95 repealed, 1978, 512 § 6B. (See 1978, 512 § 16.)

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. 135 revised, 1979, 513.

SECT. 137 added, 1977, 972 § 1 (providing for a Massachusetts national guard education assistance program); first paragraph, second sentence revised, 1979, 511; amended, 1980, 329 § 123. (See 1977, 972 § 2; 1980, 329 § 133.)

Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 3, first sentence revised, 1978, 478 § 17; sentence added at end, 1963, 655; revised, 1965, 513. (See 1978, 478 § 343.)

SECT. 3A repealed, 1978, 349 § 3.

SECT. 4 amended, 1935, 257 § 1; revised, 1939, 31 § 1; first sentence revised, 1979, 697. (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. 8 revised, 1978, 22.

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); definition of "made public" added, 1978, 372 § 5. (See 1975, 303 § 5.)

SECT. 9G, fourth paragraph, clauses (1)-(5) revised, 1978, 372 § 6; sixth paragraph, second sentence revised, 1980, 220 § 2; seventh paragraph revised, 1978, 372 § 7; tenth to thirteenth paragraphs revised, 1976, 397 § 4; twelfth and thirteenth paragraphs revised, 1978, 372 § 8. (See 1976, 397 § 8.)

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 14, first sentence amended, 1978, 478 § 18; last sentence amended, 1947, 58; two sentences added, 1979, 325.

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. 7 revised, 1978, 478 § 19. (See 1978, 478 § 343.)

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; revised, 1978, 478 § 20; amended, 1980, 579 § 31. (See 1974, 694 § 6; 1978, 478 § 343; 1980, 579 § 66.)

SECT. 12 amended, 1974, 694 § 2; revised, 1978, 478 § 21. (See 1974, 694 § 6; 1978, 478 § 343.)

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, first paragraph revised, 1978, 478 § 22; two paragraphs added, 1966, 207; paragraph added, 1974, 81, 829 § 2. (See 1978, 478 § 343.)

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; third sentence revised, 1978, 478 § 23; section amended, 1979, 485 § 3. (See 1978, 478 § 343.)

SECT. 22A added, 1975, 27 (further regulating the depositing of funds by county officers and employees); revised, 1978, 478 § 24; amended, 1979, 485 § 4. (See 1978, 478 § 343.)

SECT. 23, second sentence revised, 1969, 849 § 6; section revised, 1978, 478 § 25. (See 1969, 849 § 79; 1978, 478 § 343.)

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; last sentence revised, 1978, 478 § 26. (See 1969, 849 § 79; 1978, 478 § 343.)

SECT. 26 added, 1980, 579 § 30 (improving the system of public construction). (See 1980, 579 § 66.)

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; section amended, 1980, 579 § 32; 1980, 579 § 33. (See 1933, 318 § 9; 1934, 291 § 6; 1969, 849 § 79; 1980, 579 § 66.)

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; last sentence revised, 1978, 55; last paragraph revised, 1980, 579 § 34. (See 1973, 1166 § 2; 1980, 579 § 66).

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; second sentence revised, 1978, 15. (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; sentence added, 1978, 211. (See 1969, 849 § 79.)

SECT. 31, first sentence revised, 1974, 492 § 4; section revised, 1975, 160; amended, 1978, 514 § 13. (See 1974, 492 § 24; 1978, 514 § 287.)

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; last sentence revised, 1978, 478 § 27; paragraph added, 1959, 51; first two sentences stricken out, 1969, 849 § 15. (See 1948, 591 §§ 4-7; 1969, 849 § 79; 1978, 478 § 343.)

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. section revised, 1980, 578 § 39. (See 1980, 578 § 53.)

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; section revised, 1980, 578 § 40. (See 1980, 578 § 53.)

SECT. 38 amended, 1953, 75; fourth sentence revised, 1980, 578 § 41. (See 1980, 578 § 53.)

SECT. 38A added, 1980, 578 § 42 (relative to bonds and notes of cities, towns and districts). (See 1980, 578 § 53.)

SECT. 39 amended, 1980, 578 § 43. (See 1980, 578 § 53.)

SECTS. 39A-39F added, 1949, 488 (relative to the furnishing and certification of county notes by the director of accounts).

SECT. 39B revised, 1963, 37.

SECTS. 39G AND 39H added, 1962, 232 § 1 (permitting the use of facsimile seals by counties and the use of facsimile signatures and countersignatures upon their bonds, notes and certificates of indebtedness).

SECT. 39I added, 1980, 578 § 44 (relative to the signature on bonds or notes of a county). (See 1980, 578 § 53.)

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; revised, 1978, 514 § 14. (See 1969, 849 § 79; 1978, 514 § 287.)

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; 1978, 478 § 28. (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; 1978, 343.)

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; 1978, 478 § 29. (See 1978, 478 § 343.)

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), introductory paragraph revised, 1978, 478 § 30; 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; 1978, 375 § 1; paragraph (1A) added, 1977, 233 § 2; three salary schedules

revised, 1978, 375 § 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; 1978, 375 § 7, 478 § 343.)

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); revised, 1980, 498.

SECT. 6 revised, 1960, 761 § 3.

SECT. 9, subsection (*a*), clause (8) revised, 1980, 166 § 1. (See 1980, 166 § 2.)

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. 31A amended, 1978, 514 § 15. (See 1978, 514 § 287.)

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. 16 revised, 1978, 478 § 31. (See 1978, 478 § 343.)

SECT. 17 amended, 1945, 63; 1946, 121; first paragraph, second sentence revised, 1978, 39; first paragraph revised, 1979, 485 § 5; 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 mediocolegal 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; sixth and seventh sentences stricken out, three sentences inserted, 1978, 237; seventh sentence stricken out, two sentences inserted, 1979, 391; 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 death 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; first sentence revised, 1979, 199; 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.)

SECTS. 23A AND 23B added, 1958, 626 § 4 (providing that meetings of certain local boards, commissions, committees and authorities shall be open to the public).

SECT. 23A, first paragraph revised, 1960, 274; section revised, 1960, 437 § 3; first paragraph, sentence added, 1970, 571; third paragraph amended, 1964, 195; section revised, 1975, 303 § 3; definition of "Governmental body" revised, 1976, 397 § 5; definition of "made public" added, 1978, 372 § 9. (See 1975, 303 § 5; 1976, 397 § 8.)

SECT. 23B revised, 1960, 437 § 4; 1975, 303 § 3; 1976, 397 § 6; fourth paragraph, clauses (1)-(5) revised, 1978, 372 § 10; sixth paragraph, second sentence revised, 1977, 527; fourth sentence revised, 1980, 220 § 3; seventh paragraph revised, 1978, 372 § 11; eleventh paragraph, fourth sentence amended, 1977, 829 § 3; twelfth and thirteenth paragraphs stricken out, three paragraphs inserted, 1978, 372 § 12. (See 1975, 303 § 5; 1976, 397 § 8.)

SECT. 23C added, 1960, 437 § 5 (relative to the remedy in case on noncompliance with the law requiring that certain meetings be open to the public); revised, 1964, 323 § 1; first sentence stricken out and two sentences inserted, 1974, 83; 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. 1B added, 1978, 512 § 7 (permitting a district to sue and be sued upon the same conditions as a city or town). (See 1978, 512 § 16.)

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; first sentence amended, 1978, 119 § 1; 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; 1979, 281; paragraph inserted, 1971, 952; 1972, 25; 1973, 6; 1974, 693; 1975, 46; paragraph added, 1969, 758 § 4; stricken out, 1980, 261 § 1C; paragraph added, 1977, 421; 1978, 575; 1979, 796 § 5; 1980, 261 § 1D. (See 1932, 271 § 7; 1951, 798 § 8; 1957, 227 § 2; 1969, 849 § 79; 1979, 796 § 35.)

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; first paragraph, sentence added, 1979, 206; 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); second paragraph revised, 1978, 199.

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; second sentence revised, 1978, 481 § 1; sixth paragraph, third sentence revised, 1975, 323 § 2; third and fourth sentences stricken out and one sentence inserted, 1978, 481 § 2; two paragraphs added, 1978, 481 § 3; paragraph added, 1978, 481 § 4.

SECT. 4F added, 1973, 84 (regulating the purchase of items of apparel by cities and towns);

SECT. 4G added, 1980, 217 (authorizing an increased amount for which contracts with cities and towns may be invited).

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; 1978, 512 § 8 (See 1978, 512 § 16); 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 (21A) revised, 1979, 211; 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; first sentence revised, 1980, 20; clause (28) revised, 1936, 211 § 5 (See 1936, 211 § 7); amended, 1947, 340 § 5; revised, 1953, 674 § 9; clause (29) amended, 1953, 535 § 1; clause (32) revised, 1962, 580 § 2; clause (33) revised, 1946, 358 § 9; clause (34) amended, 1951, 149; 1961, 20; revised, 1963, 60; 1964, 248; amended, 1969, 849 § 25; clause (36) amended, 1974, 349 § 1; clause (36A) added, 1949, 163 (authorizing appropriations for suppression and eradication of ragweed); amended, 1950, 141; clause (36B) added, 1961, 498 § 2 (authorizing appropriations for the control of algae, weeds and aquatic nuisances in lakes, ponds, streams and other bodies of water); two paragraphs added, 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); revised, 1978, 514 § 16 (See 1978, 514 § 287); 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; 1978, 77; 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); clause (72) added, 1978, 581 § 1 (authorizing a municipal waterways

improvement and maintenance fund). (See 1938, 142 § 2; 1954, 627 §§ 65, 67; 1969, 849 § 79; 1973, 1210 § 39; 1975, 706 § 312; 1978, 581 § 8.)

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. 5E added, 1978, 412 (authorizing municipal employers to establish special unemployment compensation funds).

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. 8I added, 1980, 384 (authorizing cities and towns to establish an energy resources commission).

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. 12B, second paragraph amended, 1978, 514 § 17. (See 1978, 514 § 287.)

SECT. 12E amended, 1978, 514 § 18. (See 1978, 514 § 287.)

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); second paragraph amended, 1979, 552 § 1.

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; first paragraph, first sentence revised, 1980, 329 § 73A; paragraph added, 1949, 644 § 1; same paragraph amended, 1955, 458 § 1; revised, 1957, 417 § 1; paragraph added, 1966, 273; revised, 1966, 566; 1967, 86. (See 1980, 329 § 134.)

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; last sentence revised, 1979, 260.

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 § 3.

SECT. 22D added, 1961, 322 (authorizing the towing of vehicles from city and town ways where such vehicles are parked or standing in violation of the law); fourth sentence revised, 1968, 369; amended, 1971, 438.

SECT. 22E added, 1962, 796 (authorizing cities and towns to lease the space above municipal parking lots); first sentence revised, 1969, 815 § 1; second paragraph revised, 1963, 147; amended, 1969, 815 § 2.

SECTS. 25-33. For special zoning provisions for Boston, see 1924, 488 and amendments prior to 1932; 1932, 143; 1933, 204; 1934, 210; 1936, 240; 1941, 373; 1946, 198.

SECTS. 25-30A stricken out, and new sections 25-30A (municipal zoning laws) inserted, 1933, 269 § 1. (See 1933, 269 § 4.)

SECT. 25, first paragraph amended, 1950, 325 § 1.

SECT. 26 amended, 1952, 438.

SECT. 27 revised, 1941, 320.

SECT. 27A added, 1938, 133 § 1 (to prevent multiplicity of proposals for the same change in zoning ordinances or by-laws).

SECT. 28 revised, 1941, 176.

SECT. 30, first paragraph (as appearing in 1933, 269 § 1) amended, 1945, 167; second paragraph (as so appearing) amended, 1951, 205; paragraph in lines 54-60 (as appearing in 1933, 269 § 1) stricken out and two paragraphs added, 1941, 198 § 1; paragraph in lines 61-70 (as so appearing) amended, 1935, 388 § 1; clause (1) in lines 72-76 (as so appearing) revised, 1941, 198 § 2; paragraph in lines 80-90 (as so appearing) amended, 1935, 388 § 2; next to last paragraph amended, 1953, 102. (See 1941, 198 § 3.)

SECTS. 25-30. Temporarily affected, 1951, 307.

SECT. 30A stricken out and reinserted as section 30B and new section 30A inserted, 1938, 133 § 2 (to prevent multiplicity of proposals for the same change in the application of zoning ordinances or by-laws).

SECT. 30B, sentence added, 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).

SECT. 56 added, 1979, 797 § 1 (relative to the taxation of real property by usage classification); first sentence revised, 1980, 261 § 2.

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; fourth paragraph, sentence inserted after first sentence, 1979, 106.

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. 9, paragraph added, 1980, 508 § 5.

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; fourth paragraph, sentence inserted after first sentence, 1979, 106.

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; third sentence revised, 1979, 117; second paragraph amended, 1977, 829 § 4D; third paragraph amended, 1977, 829 § 4E; fourth paragraph amended, 1977, 829 § 4F.

SECT. 17, first paragraph, first sentence stricken out and two sentences inserted, 1978, 478 § 32. (See 1978, 478 § 343.)

Chapter 40B. — Regional Planning.

New chapter inserted, 1955, 374.

SECT. 2 revised, 1955, 656 § 1. (See 1955, 656 § 3.)

SECT. 2A added, 1979, 654 (regulating the participation of municipalities in regional districts).

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; third sentence revised, 1980, 41.

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, clause (*h*) stricken out, 1978, 496 § 4; clauses (k) and (l) revised, 1970, 326; paragraph (*l*) revised, 1979, 787 § 2; clause (*m*) and (*n*) revised, 1977, 206 § 1; clause (o ½) added, 1972, 775 § 1; revised, 1977, 206 § 2; clause (p ½) added, 1971, 1017 § 1; two sentences added, 1972, 373 § 1; stricken out, 1973, 1160 § 1; clause (*r*) added, 1977, 206 § 3; section revised, 1978, 495 § 1.

SECT. 2, two paragraphs added, 1978, 495 § 2.

SECT. 3, second paragraph revised, 1978, 495 § 3.

SECT. 4, second paragraph revised, 1978, 495 § 4.

SECT. 6, second paragraph revised, 1975, 887; 1978, 495 § 5.

SECT. 7, paragraph (*a*), clause (viii) added, 1977, 206 § 4; section revised, 1978, 495 § 6.

SECT. 8, clause (i) revised, 1973, 245; section revised, 1978, 495 § 7.

SECT. 9, fourth and fifth sentences revised, 1978, 495 § 8; section revised, 1980, 268 § 1; third sentence revised, 1980, 500 § 1.

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; section revised, 1978, 495 § 9; second paragraph, third sentence stricken out, 1979, 787 § 3.

SECT. 12, subsection (2), first paragraph amended, 1978, 496 § 5; second paragraph, clause (e) revised, 1974, 76 § 1; clause (i) revised, 1974, 76 § 2; subsections (2) and (3) revised, 1978, 495 § 10.

SECT. 14, first sentence revised, 1978, 495 § 11.

SECT. 18 revised, 1978, 495 § 12.

SECT. 19 revised, 1978, 495 § 13.

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; paragraph (*a*) revised, 1978, 495 § 14; paragraphs (g) and (h) revised, 1978, 495 § 15.

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; section revised, 1978, 495 § 16. (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.

SECT. 10, first sentence revised, 1980, 500 § 2.

Chapter 40F. — The Massachusetts Community Development Finance Corporation.

New chapter inserted, 1975, 866 § 2.

The following references are to Chapter 40F, as so inserted:

SECT. 4, fifth paragraph, clause (11), subclause (*e*) revised, 1977, 522.

Chapter 40G. — Massachusetts Technology Development Corporation.

New chapter inserted, 1978, 497 § 1.

SECT. 4, paragraph added, 1980, 561 § 1.

SECT. 5A added, 1980, 561 § 2 (authorizing the Massachusetts Technology Development Corporation to receive certain federal funds).

SECT. 10 added, 1979, 807 (relative to the procedures of the Massachusetts Technology Development Corporation).

Chapter 40H. — Community Economic Development Assistance Corporation.

New chapter inserted, 1978, 498.

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; eighteenth clause stricken out, 1978, 394 § 4; section revised, 1980, 129.

SECT. 1A added, 1967, 45 § 1 (relative to definition of "district"); revised, 1969, 505 § 4.

SECT. 3, last sentence stricken out, 1978, 349 § 5.

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; 1978, 514 § 19. (See 1978, 514 § 287.)

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks); revised, 1962, 233 § 2; amended, 1978, 514 § 20. (See 1978, 514 § 287.) [For prior legislation, see G.L. chapter 140 § 148, repealed by 1932, 289 § 6.]

SECT. 13B added, 1954, 139 (relative to the renewal of licenses and permits in certain cities).

SECT. 15A revised, 1949, 136; amended, 1967, 45 § 2.

SECT. 17 revised, 1954, 83.

SECTS. 18A AND 18B added, 1948, 56 (providing that the records of city clerks may be attested by the volume and that a facsimile of the signature of the city clerk shall be valid in certain cases).

SECT. 19, second sentence stricken out and two sentences inserted, 1960, 47; last sentence revised, 1938, 66; same sentence amended, 1945, 245; sentence added, 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); revised, 1979, 467.

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; amended, 1978, 514 § 21. (See 1936, 118 § 3; 1978, 514 § 287.)

SECT. 28 amended, 1939, 342 § 2.

SECT. 30A added, 1946, 211 (relative to the effect of a vacancy in the office of assessor).

SECT. 30B added, 1979, 797 § 2 (relative to joint assessing agreements); second paragraph, second sentence revised, 1980, 261 § 3. (See 1979, 797 § 25.)

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; amended, 1978, 514 § 22; second sentence amended, 1972, 766 § 3; revised, 1978, 367 § 70; third sentence revised, 1967, 255; sentence added, 1939, 109 § 1. (See 1972, 766 § 23; 1978, 367 § 72, 514 § 287.)

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); amended, 1978, 514 § 23; last sentence revised, 1953, 55. (See 1978, 514 § 287.)

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; amended, 1978, 514 § 24. (See 1978, 514 § 287.)

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 selectmen shall be the commissioners of trust funds in certain small towns).

SECT. 46 revised, 1957, 203.

SECT. 49A added, 1948, 211 (providing for the appointment of 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; revised, 1980, 313. (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 "Drainage" inserted, 1979, 534; 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; first two paragraphs revised, 1978, 422 § 1; third paragraph, sentence added, 1978, 422 § 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.

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, second sentence revised, 1978, 478 § 33; 1979, 311; last sentence revised, 1965, 228; 1968, 74; amended, 1971, 1061; revised, 1972, 237. (See 1978, 478 § 343.)

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. 97B, sentence inserted after third sentence, 1980, 195; paragraph added, 1979, 217.

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. 98F added, 1980, 142 (relative to the keeping of daily logs by police departments).

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; 1978, 373 § 1.

SECTS. 99B-99K added, under caption, 1969, 878 (authorizing the establishment of regional police districts).

SECT. 99H amended, 1978, 514 § 25. (See 1978, 514 § 287.)

SECT. 99I, second paragraph amended, 1978, 514 § 26. (See 1978, 514 § 287.)

SECT. 99J, fifth sentence revised, 1978, 393 § 18. (See 1978, 393 § 45.)

SECT. 99K, second paragraph revised, 1978, 393 § 19. (See 1978, 393 § 45.)

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; second paragraph stricken out, 1978, 512 § 9; paragraph inserted after second paragraph, 1977, 880 § 1; paragraph added, 1957, 342; 1966, 322; two paragraphs added, 1977, 646 § 1; (See 1950, 412 § 2; 1978, 512 § 16.)

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3; 1945, 391 § 1; 1949, 128; revised, 1965, 108; repealed, 1978, 512 § 10. (See 1933, 318 §§ 8, 9; 1934, 291 § 6; 1945, 391 § 3; 1978, 512 § 16.)

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; section repealed, 1978, 512 § 10. (See 1978, 512 § 16.)

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); repealed, 1978, 512 § 10. (See 1978, 512 § 16.)

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; section repealed, 1978, 512 § 10. (See 1978, 512 § 16.)

SECT. 100F added, 1970, 613 (authorizing indemnification of harbor masters against certain actions and claims); repealed, 1978, 512 § 10. (See 1978, 512 § 16.)

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; 1978, 192.

SECT. 100G½ added, 1979, 477 (relative to certain meetings of the Massachusetts police association).

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); repealed, 1978, 512 § 10. (See 1978, 512 § 16.)

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; first sentence revised, 1978, 393 § 20. (See 1969, 849 § 79; 1978, 393 § 45.)

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; third sentence revised, 1978, 514 § 27. (See 1978, 514 § 287.)

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); amended, 1978, 393 § 21. (See 1978, 393 § 45.)

SECT. 108D added, 1958, 621 (establishing a minimum annual compensation for fire fighters in certain cities and towns); revised, 1960, 260; first sentence revised, 1978, 393 § 22. (See 1978, 393 § 45.)

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); first sentence revised, 1978, 393 § 23. (See 1978, 393 § 45.)

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; revised, 1978, 393 § 24. (See 1978, 393 § 45.)

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. 111G ½ 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); first sentence revised, 1978, 393 § 25. (See 1978, 393 § 45.)

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); amended, 1978, 514 § 28. (See 1978, 514 § 287.)

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).

SECT. 127, fifth sentence amended, 1978, 393 § 26. (See 1978, 393 § 45.)

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; first paragraph revised, 1980, 579 § 54. (See 1980, 579 § 66.)

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, 1958, 626 § 6.

SECT. 36 revised, 1938, 378 § 13.

SECT. 38, paragraph added, 1967, 406 § 1.

SECTS. 39-40 revised, 1972, 38.

SECT. 42 amended, 1935, 68 § 2; first paragraph revised, 1961, 550; second paragraph amended, 1967, 406 § 2.

SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added, 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.

SECTS. 93-116 added, under caption, 1938, 378 § 15 (providing an additional optional standard form of city charter under which substantial control of the city government is vested in a city council elected at large by proportional representation, with a city manager appointed and removable at pleasure by the city council).

SECTS. 93-116 repealed in so far as they provide for election by proportional representation of city councils and school committees, 1949, 661 § 1; 1952, 281 § 1. (See 1949, 661 §§ 1A-3; 1952, 281 § 2; 1953, 118.)

SECT. 98, fourth sentence revised, 1958, 626 § 9.

SECT. 100 amended, 1941, 722 § 5.

SECT. 101 repealed, 1952, 259 § 3.

SECT. 102 amended, 1941, 722 § 6.

SECT. 103, first paragraph amended, 1950, 353; first sentence revised, 1967, 36; third sentence revised, 1973, 128; 1979, 478.

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. 6, paragraph added, 1979, 68 § 1.

SECT. 7, first and second sentences revised, 1978, 52.

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; 1979, 68 § 2.

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 "Director" revised, 1978, 514 § 29; definition of "District" added, 1967, 46 § 1; revised, 1969, 505 § 5; definition of "Equalized valuation" added, 1968, 23 § 1; revised, 1978, 514 § 30; definition of "Revenue" revised, 1946, 358 § 10; definitions of "Sewage" and

"Sewage treatment and disposal facilities" added, 1969, 597 § 1. (See 1978, 514 § 287.)

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; sentence inserted after first sentence, 1979, 782 § 1. (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; revised, 1978, 537 § 1; paragraph inserted after second paragraph, 1979, 668. 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 (3B) added, 1979, 796 § 6; clause (4A) revised, 1975, 184; clause (4B) amended, 1978, 119 § 2; clause (23) added, 1976, 11 § 1; clause (24) added, 1976, 189; revised, 1976, 404; amended, 1978, 119 § 3; clause (25) added, 1977, 121;

clause (26) added, 1979, 796§ 7. (See 1936, 224 § 11, 12; 1965, 206 §§ 2, 3, 581 § 2; 1968, 228 § 2; 1969, 849 § 79; 1976, 11 § 2; 1979, 796 § 35.)

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; amended, 1978, 119 § 4; 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; clause (20) added, 1980, 77. (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).

SECTS. 16B AND 16C added, 1962, 232 § 2 (permitting the use of facsimile seals by cities, towns or districts and the use of facsimile signatures and countersignatures upon their bonds, notes and certificates of indebtedness).

SECT. 17 amended, 1946, 358 § 18; revised, 1962, 607 § 3; 1963, 80.

SECT. 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; 1979, 191.

SECT. 21 amended, 1946, 358 § 22; revised, 1980, 521; 578 § 38. (See 1980, 578 § 53.)

SECT. 21A added, 1980, 521 (relative to the redemption and refunding of bonds and notes).

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; 1979, 194 § 1; 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. 44 amended, 1978, 514 § 31. (See 1978, 514 § 287.)

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); second sentence amended, 1978, 514 § 32. (See 1978, 514 § 287.) -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; 1978, 367 § 70A; second sentence revised, 1968, 598 § 2; amended, 1970, 525; revised, 1972, 88; clause (2) revised, 1980, 169. (See 1972, 766 § 23; 1978, 367 § 72.)

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; 1980, 98.

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; section revised, 1979, 98 § 1. first sentence amended, 1980, 15.

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 sentence amended, 1974, 548; fourth sentence revised, 1973, 224; 1974, 90; 1976, 128; fourth and fifth sentences stricken out, one sentence inserted, 1979, 782 § 2.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48; revised, 1978, 83; 1980, 366.

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; 1978, 341.

SECT. 68 added, 1973, 47 (authorizing cities, towns and districts to pay salary increases retroactively).

Chapter 44A. — QUALIFIED BOND ACT.

New chapter inserted, 1980, 329 § 68. (See 1980, 329 § 134.)

Chapter 45. — Public Parks, Playgrounds 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. 12 revised, 1980, 182.

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; first sentence stricken out, two sentences inserted, 1980, 446.

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); amended, 1978, 552 § 14.

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 are 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; second sentence revised, 1978, 552 § 15.

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); 1972 260. (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; amended, 1978, 552 § 16; 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; revised, 1978, 552 § 17; 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 alterings, forging or counterfeiting copies of records of birth, marriage or death).

Chapter 47. — Infirmaries.

SECT. 2 amended, 1967, 658 § 6.

SECT. 11 amended, 1961, 396 § 2.

Chapter 48. — Fires, Fire Departments and Fire Districts.

SECT. 8 amended, 1941, 490 § 10; revised, 1954, 104; 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, 1973, 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; 1979, 673 § 1.

SECT. 16A added, 1979, 673 YSM 2 (relative to the handling of slash).

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; first sentence revised, 1979, 435. (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. 44A added, 1980, 304 (requiring certification by the department of public safety of certain firefighting units).

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. 57H added, 1980, 101 (authorizing certain time off for officers of the Professional Firefighters of Massachusetts, AFL-CIO-CLC).

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; amended, 1979, 431; 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. 63 amended, 1978, 514 § 33. (See 1978, 514 § 287.)

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 § 8. (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 nomination 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 paragraphs 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; first sentence revised, 1972, 549; first two sentences stricken out and four sentences inserted, 1973, 255; sentence added, 1962, 437 § 5; section revised, 1977, 226; sentence inserted after fourth sentence, 1978, 135. (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; first paragraph amended, 1980, 269 § 1; second paragraph amended, 1980, 269 § 2; 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; first sentence revised, 1978, 189; next to last sentence revised, 1949, 196; last sentence stricken out, 1963, 160 § 5A; sentence added, 1973, 60. (See 1938, 440 § 23.)

SECT. 7 amended, 1933, 254 § 6; revised, 1935, 345 § 2; amended, 1938, 440 § 5; revised, 1939, 188 § 3; amended, 1955, 67 § 2; 1959, 137; 1969, 205 § 1; 1974, 67; first paragraph amended, 1980, 269 § 4. (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; amended, 1980, 269 § 3.

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.)

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; revised, 1979, 145.

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; 1978, 195.

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, 1946, 160; section revised, 1962, 437 § 12; amended, 1973, 1137 § 3. (See 1973, 1137 § 11.)

SECT. 34 amended, 1933, 254 § 11; sentence added, 1962, 437 § 13; section revised, 1973, 1137 § 4. (See 1933, 254 § 66; 1973, 1137 § 11.)

SECT. 35 revised, 1938, 440 § 13; amended, 1939, 451 § 10; sentence added at end, 1947, 244 § 1; section amended, 1971, 201. (See 1938, 440 § 23.)

SECT. 36 amended, 1933, 254 § 12; 1943, 453 § 24; 1955, 67 § 3; 1962, 437 § 14; revised, 1971, 932; 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, 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; second sentence revised, 1979, 664 § 1; third sentence revised, 1971, 920 § 1; last sentence revised, 1975, 600 § 6. (See 1971, 920 § 11; 1979, 664 § 3.)

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 1 amended, 1939, 371; 1973, 110.

SECT. 2 amended, 1932, 310 § 4; last sentence revised, 1934, 32 § 1; section revised, 1938, 473 § 5; 1941, 337 § 2; first sentence amended, 1953, 406 § 2; revised, 1966, 407 § 1; amended, 1973, 429 § 1A; 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; 1979, 745 § 1.

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; paragraph added after second paragraph, 1980, 134 § 1; seventh paragraph stricken out, 1980, 134 § 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; first sentence revised, 1979, 745 § 2; 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; sentence added, 1978, 210 § 3.

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; sentence added, 1980, 134 § 3; second paragraphrevised, 1933, 313 § 2; 1941, 278; amended, 1941, 472 § 4; first twosentences 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 fradulent 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; first sentence revised, 1979, 100; 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. 27 repealed, 1980, 134 § 4.

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; second and third sentences stricken out, sentence inserted, 1979, 602 § 1.

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; 1979, 190 § 1; fourth sentence stricken out and two sentences inserted, 1977, 927 § 9; fifth sentence revised, 1978, 393 § 27. (See 1937, 384, 435; 1977, 927 § 18; 1978, 393 § 45.)

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; second sentence revised, 1979, 602 § 2.

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; 1979, 745 § 3. (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 "PROVISIONS APPLYING TO STATE PRIMARIES", 1938, 473 § 11; section revised, 1941, 337 § 5. (See 1937, 384, 435.)

SECT. 42 amended, 1932, 310 § 10; 1937, 24 § 2; revised, 1938, 373 § 1; 1953, 406 § 4. (See 1937, 384, 435.)

SECT. 43 amended, 1932, 310 § 11; 1937, 201; 1949, 109 § 1; 1971, 935; revised, 1972, 279; amended, 1973, 144. (See 1937, 384, 435.)

SECT. 44 revised, 1932, 310 § 12; amended, 1935, 38; revised, 1938, 373 § 2, 473 § 12; amended, 1941, 337 § 6; revised, 1952, 221; 1953, 406 § 5; last sentence stricken out and two sentences inserted, 1954, 183 § 1; third sentence revised, 1955, 249; section revised, 1964, 260; second sentence revised, 1966, 56 § 2; 1972, 50; first and second sentences revised, 1973, 429 § 4; third sentence amended, 1966, 335 § 1; 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 sentence revised, 1978, 393 § 28; first paragraph revised, 1979, 336 § 1; third paragraph revised, 1966, 176 § 2; 1972, 8; paragraph added, 1946, 537 § 2. (See 1937, 384, 435; 1946, 537 § 12; 1977, 927 § 18; 1978, 393 § 45.)

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; section revised, 1977, 927 § 11; first paragraph, third sentence revised, 1980, 134 § 5; third paragraph revised, 1980, 134 § 6. (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; first sentence revised, 1979, 745 § 4. (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); second paragraph revised, 1979, 745 § 5.

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. (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; second paragraph amended, 1978, 393 § 29; first sentence revised, 1979, 336 § 2. (See 1948, 614 §§ 8, 9; 1956, 74 § 2; 1978, 393 § 45.)

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; first paragraph, last sentence stricken out, 1980, 134 § 7; second paragraph, second, third and fourth sentences revised, 1979, 664 § 2. (See 1979, 664 § 3.)

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. 72 revised, 1979, 745 § 6

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; first paragraph, sentence inserted, 1978, 150 § 1.
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; second paragraph, sentence inserted, 1978, 150 § 2; sentence added, 1979, 234.
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, first paragraph revised, 1979, 635 § 1; 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; first three paragraphs revised, 1979, 635 § 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; 1979, 190 § 2; revised, 1979, 745 § 7; 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; 1978, 136; 1979, 190 § 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; fifth sentence revised, 1979, 602 § 3.

SECT. 49 amended, 1943, 411 § 14; sentence added, 1962, 437 § 39.

SECT. 52 revised, 1977, 667; first three sentences revised, 1979, 745 § 8.

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; section revised, 1979, 233; first sentence revised, 1979, 602 § 4. (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; sentence added, 1980, 168.

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; two sentences added, 1980, 379.

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 (b ½) 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; first sentence revised, 1979, 635 § 3; 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 (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; seventh paragraph revised, 1979, 295. (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. 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, 1941, 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 § 1, 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. 2, second paragraph revised, 1980, 329 § 102. (See 1980, 329 § 134.)

SECT. 3, fourth paragraph first sentence revised, 1977, 234 §§ 126A-126C; 872 §§ 121-123; fifth paragraph revised, 1978, 204. (See 1977, 234 § 198; 872 § 204.)

SECT. 6 revised, 1975, 774 § 2. (See 1975, 774 § 5.)

SECT. 9, first paragraph revised, 1975, 373.

SECT. 18, clause (*h*), eleventh paragraph revised, 1980, 329 § 102; two paragraphs added, 1979, 335 § 1. (See 1979, 335 § 4.)

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; repealed, 1979, 335 § 2. (See 1979, 335 § 4.)

SECT. 21 repealed, 1979, 335 § 3. (See 1979, 335 § 4.)

SECT. 22 revised, 1975, 491.

SECT. 22A added, 1978, 572 (requiring reporting by governmental agencies of certain expenditures).

SECT. 25, first paragraph revised, 1980, 329 § 102.

SECT. 32, third clause stricken out, 1977, 294 § 2.

SECT. 33, subsection (c) amended, 1978, 478 § 34. (See 478 § 343.)

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 inserted, 1977, 927 § 14. (See 1977, 927 § 18.)

SECT. 4, first and second paragraphs revised, 1980, 134 § 8.

SECT. 5, first paragraph revised, 1980, 134 § 9.

SECT. 6, sentence inserted before first sentence, 1980, 134 § 10.

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; first sentence amended, 1980, 269 § 5.

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); amended, 1978, 393 § 30. (See 1978, 393 § 45.)

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; revised, 1978, 514 § 34; two sentences inserted after the second sentence, 1971, 895 § 1; fifth sentence amended, 1932, 180 § 9; revised, 1937, 108 § 2; section revised, 1978, 580 § 1. (See 1975, 684 § 97; 1978, 514 § 287, 580 § 1.)

SECT. 1 stricken out and sections 1 and 1A inserted, 1979, 797 § 3. (See 1979, 797 § 25.)

SECT. 1A, second paragraph, first and second sentences revised, 1980, 261 § 4.

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; second and third paragraphs revised, 1978, 514 § 35. (See 1933, 254 § 66; 1958, 490 § 3; 1965, 696 § 2; 1969, 537 § 2; 1975, 684 § 97; 1978, 514 § 287.)

SECT. 3 amended, 1933, 254 § 19; first paragraph amended, 1971, 926; first sentence revised, 1975, 684 § 32; first paragraph revised, 1977, 992 § 1; first two sentences revised, 1978, 580 § 2; paragraph added, 1963, 660 § 5; 1974, 740; third paragraph, first sentence revised, 1978, 580 § 3; section revised, 1979, 797 § 4. (See 1933, 254 § 66; 1963, 660 § 9; 1975, 684 § 97; 1977, 992 § 5; 1978, 580 § 40; 1979, 797 § 25.)

SECT. 4, first sentence revised, 1978, 580 § 4. (See 1978, 580 § 40.)

SECT. 4 stricken out and sections 4, 4A, 4B and 4C inserted, 1979, 797 § 5. (See 1979, 797 § 25.)

SECT. 4, first paragraph, second sentence revised, 1980, 261 § 5; second paragraph revised, 1980, 261 § 6.

SECT. 4A, clause (*a*) revised, 1980, 261 § 6A.

SECT. 4C revised, 1980. 261 § 7.

SECT. 6, first sentence revised, 1978, 580 § 5. section revised, 1979, 797 § 6. (See 1978, 580 § 40; 1979, 797 § 25.)

SECTS. 7A-7E added, under caption, 1955, 649 (relative to assessment systems in cities and towns).

SECT. 7A, first sentence revised, 1961, 165.

SECTS. 7A-7D revised, 1978, 514 § 36. (See 1978, 514 § 287.)

SECT. 7C, first sentence revised, 1978, 580 § 6. (See 1978, 580 § 40.)

SECTS. 7A-7E repealed, 1979, 797 § 7. (See 1979, 797 § 25.)

SECT. 8 revised, 1935, 322 § 1; 1945, 351 § 2; amended, 1953, 654 § 6; 1978, 514 § 37. (See 1978, 514 § 287.)

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; 1978, 514 § 38. (See 1978, 514 § 287.)

SECT. 8B added, 1974, 487 § 1 (imposing a time limitation for filing certain reimbursement claims by cities and towns); amended, 1978, 514 § 39. (See 1978, 514 § 287.)

SECT. 9 revised, 1939, 346; 1941, 112; amended, 1953, 654 § 7; amended, 1978, 514 § 40. (See 1978, 514 § 287.)

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; section revised, 1978, 514 § 41; first sentence revised, 1978, 580 § 7; section revised, 1979, 797 § 8. (See 1968, 256 § 2; 1978, 514 § 287, 580 § 40; 1979, 797 § 25.)

SECT. 10C, second sentence stricken out and two sentences inserted, 1974, 492 § 5. (See 1974, 592 § 24.)

SECTS. 10A-10C revised, 1978, 514 § 42. (See 1978, 514 § 287.)

SECT. 10A, last sentence revised, 1979, 283 § 1.

SECT. 10B, first sentence revised, 1979, 283 § 2.

SECT. 10C, paragraph added, 1979, 383 § 1; two sentences inserted after first sentence, 1980, 456 § 1; second sentence stricken out, two sentences inserted, 1980, 403 § 1. (See 1980, 403 § 15.)

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; 1978, 514 § 43; third paragraph, fourth sentence amended, 1975, 706 § 109; paragraph amended, 1978, 514 § 44. (See 1933, 254 § 66; 1956, 701 § 2; 1960, 593 § 2; 1969, 838 § 74; 1974, 492 § 24; 1975, 706 § 312; 1978, 514 § 287.)

SECT. 14 amended, 1939, 451 § 15; 1953, 654 § 10; revised, 1974, 492 § 6; amended, 1978, 514 § 45. (See 1974, 492 § 24; 1978, 514 § 287.)

SECT. 15 amended, 1933, 254 § 21; revised, 1941, 490 § 14; amended, 1953, 654 § 11; 1975, 706 § 110; 1978, 514 § 46. (See 1933, 254 § 66; 1975, 706 § 312; 1978, 514 § 287.)

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; 1978, 514 § 47. (See 1978, 514 § 287.)

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; amended, 1978, 514 § 48; second sentence revised, 1978, 580 § 8; 1979, 797 § 9. (See 1945, 592 § 2; 1959, 412 § 2; 1961, 468 § 2; 1978, 514 § 287, 580 § 40; 1979, 797 § 25.)

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; section revised, 1978, 367 § 70B; first paragraph amended, 1980, 403 § 2. subsection (*a*) amended, 1978, 514 § 49; subsection (*b*), paragraph (2) amended, 1978, 514 § 50; paragraph (3) amended, 1978, 514 § 51. (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; 1978, 367 § 72, 514 § 287; 1980, 403 § 15.)

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; 1978, 514 § 52; second paragraph amended, 1978, 514 § 53. (See 1971, 497 § 15; 1974, 492 § 24; 1978, 514 § 287.)

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); first paragraph amended, 1978, 514 § 54; paragraph (a) revised, 1974, 492 § 10; second paragraph amended, 1978, 514 § 55. (See 1974, 492 § 24; 1978, 514 § 287.)

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; amended, 1978, 514 § 56. (See 1934, 323 § 11; 1941, 729 § 15; 1951, 641 §§ 18, 19; 1978, 514 § 287.)

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; amended, 1978, 514 § 57. (See 1934, 323 § 11; 1951, 641 §§ 18, 19; 1968, 566 § 3; 1969, 546 § 34; 849 § 79; 1978, 514 § 287.)

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; first sentence amended, 1978, 514 § 58; clause (c), first paragraph amended, 1978, 514 § 59; second paragraph amended, 1978, 514 § 60. (See 1978, 514 § 287.)

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. 28B amended, 1978, 514 § 61. (See 1978, 514 § 287.)

SECT. 28C added, 1964, 500 (providing that the reciprocal enforcement of tax liabilities between the commonwealth and other states); amended, 1978, 514 § 62; second paragraph amended, 1978, 514 § 63. (See 1978, 514 § 287.)

SECT. 29, first sentence revised, 1953, 654 § 20; introductory paragraph amended, 1978, 514 § 64; paragraph (1) amended, 1956, 129; 1978, 514 § 65; paragraph (4) stricken out, 1945, 161 § 1. (See 1978, 514 § 287.)

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; 1978, 514 § 66. (See 1975, 684 § 97; 1978, 514 § 287.)

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).

SECTS. 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; first sentence amended, 1978, 514 § 67; 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; first sentence revised, 1978, 514 § 68; third sentence revised, 1978, 580 § 9; 1979, 527 § 1. (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; 1978, 514 § 287; 580 § 40.)

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; amended, 1978, 580 § 10; revised, 1979, 713 § 2; amended, 1979, 797 § 9A; last two sentences stricken out and six sentences inserted, 1958, 523 § 1; last sentence stricken out and two sentences inserted, 1969, 556 § 2; fifth to ninth sentences revised, 1978, 514 § 69. (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; 1978, 514 § 287, 580 § 40; 1979, 713 § 5; 1979, 797 § 25.)

SECT. 7 revised, 1933, 321 § 2; amended, 1939, 451 § 18; 1945, 621 § 2; 1952, 502; 1953, 654 § 25; 1972, 684 § 2; 1978, 514 § 70; sixth to ninth sentences revised, 1978, 580 § 11; ninth sentence stricken out and two sentences inserted, 1980, 572 § 12; tenth sentence revised, 1979, 383 § 2. (See 1933, 321 § 9; 1972, 684 § 136; 1978, 514 § 287, 580 § 40; 1980, 572 § 417.)

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; third to seventh sentence revised, 1978, 580 § 12; third sentence amended, 1980, 572 § 13; seventh sentence amended, 1980, 572 § 14. (See 1933, 321 §§ 8, 9; 1972, 684 § 136; 1978, 580 § 40;1980, 572 § 417.)

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; amended, 1978, 514 § 71. (See 1978, 514 § 287.)

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); first sentence revised, 1978, 580 § 13. (See 1978, 580 § 40.)

SECT. 12B added, 1950, 262 (relative to the admissibility of evidence of assessed valuations at hearings before the appellate tax board); first sentence revised, 1978, 580 § 14. (See 1978, 580 § 40.)

SECT. 12C added, 1979, 383 § 3 (relative to appeals to 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; section revised, 1978, 514 § 72; first sentence revised, 1978, 580 § 15; 1979, 527 § 2; 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; 1978, 514 § 287, 580 § 40.)

SECT. 14 added, 1979, 797 § 10 (relative to disproportionate assessments); first paragraph, clause (1) revised, 1980, 261 § 8; second paragraph revised, 1980, 261 § 9. (See 1979, 797 § 25.)

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. 2A-2B added, 1979, 797 § 11 (relative to the classification of real property by use). (See 1979, 797 § 25.)

SECT. 2A, subsection (*a*), second paragraph revised, 1980, 261 § 10; subsection (*b*), introductory paragraph revised, 1980, 261 § 11; subsection (*c*) revised, 1980, 261 § 12.

SECT. 2B, first paragraph revised, 1980, 261 § 13.

SECT. 3 repealed, 1978, 580 § 16. (See 1978, 580 § 40.)

SECT. 3A revised, 1951, 667 § 1; 1974, 383 § 1; amended, 1975, 513 § 2; last paragraph revised, 1977, 911 § 1; section repealed, 1978, 580 § 16. (See 1974, 383 § 3; 1975, 513 § 4; 1977, 911 § 2; 1978, 580 § 40.)

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. 4, clause First revised, 1978, 581 § 2. (See 1978, 581 § 8.)

SECT. 5, first sentence amended, 1963, 160 § 8; 1970, 270 § 1; revised, 1974, 831 § 1; amended, 1975, 734 § 1; 1978, 435 § 1; (See 1970, 270 § 3; 1974, 831 § 6; 1975, 734 § 3; 1978, 435 § 2); 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); sentence added, 1980, 411 § 1; (see 1980, 411 § 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; paragraph (2) revised, 1979, 777 § 1 (see 1979, 777 § 2); paragraph (5) amended, 1978, 514 § 73 (see 1978, 514 § 287); 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; first sentence amended, 1978, 580 § 17 (see

1978, 580 § 40); last sentence amended, 1978, 580 § 18 (see 1978, 580 § 40); 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); 1978, 581 § 3 (see 1978, 581 § 8); 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; first paragraph amended, 1978, 580 § 19 (see 1978, 580 § 40); paragraph (e) amended, 1978, 580 § 20 (see 1978, 580 § 40); 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*; amended, 1978, 580 § 21 (see 1978, 580 § 40); 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; amended, 1978, 580 § 22 (see 1978, 580 § 40); clause Twenty-second C amended, 1978, 580 § 23 (see 1978, 580 § 40); 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; amended, 1978, 580 § 24 (see 1978, 580 § 40); clause Twenty-second E added, 1974, 831 § 3 (see 1974,

831 § 6); amended, 1978, 580 § 25 (see 1978, 580 § 40); clause Twenty-third amended, 1932, 114 § 4; revised, 1947, 647; 1949, 534 § 2; 1962, 281; stricken out, 1963, 160 § 11; clause Twenty-fifth amended, 1951, 272; 1964, 502 § 6; 1965, 748 § 2; revised, 1968, 549; clause Twenty-seventh revised, 1971, 555 § 3 (see 1971, 555 § 67); clause Twenty-eighth revised, 1971, 555 § 4 (see 1971, 555 § 67); stricken out, 1973, 723 § 1 (see 1973, 723 § 19); clause Thirty-second amended, 1951, 641 § 10 (see 1951, 641 §§ 18, 19); clause Thirty-fifth revised, 1939, 24 § 2; 1962, 644 § 2; clause Thirty-sixth added, 1952, 583 § 2 (see 1952, 583 § 3); revised, 1968, 464 § 1; clause Thirty-seventh added, 1953, 379; amended, 1959, 88 § 2; revised, 1959, 444 § 1 (see 1959, 444 § 2); last sentence revised, 1960, 18; stricken out, 1965, 615 § 1 (see 1965, 615 § 4); clause revised, 1970, 179 § 1 (see 1970, 179 § 2); 1973, 872 § 1 (see 1973, 872 § 2); amended, 1978, 580 § 26 (see 1978, 580 § 40); 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); amended, 1978, 514 § 74 (see 1978, 514 § 287); 580 § 27 (see 1978, 580 § 40); clause Forty-first A added, 1974, 287 § 1 (see 1974, 287 § 3); third paragraph, first sentence revised, 1978, 258; 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); amended, 1978, 580 § 28 (see 1978, 580 § 40); clause Forty-third added, 1965, 267 § 2 (see 1965, 267 § 3; 1966, 385); revised, 1971, 1110 § 10; 1977, 889 § 5 (see 1971, 1110 § 11); amended, 1978, 580 § 29 (see 1978, 580 § 40); 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); amended, 1978, 388; clause Forty-fifth A added, 1979, 367; clause Forty-sixth added, 1977, 964; clause Forty-seventh added, 1979, 339 § 1; (see 1979, 339 § 2); clause Forty-eighth added, 1979, 713 § 3; (see 1979, 713 § 5).

*See 1971, 1110 § 11.

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.)

SECTS. 5C-5F added, 1979, 797 § 12 (relative to valuation of real property). (See 1979, 797 § 25.)

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; revised, 1978, 457 § 1, 514 § 75; (see 1933, 254 § 66; 1936, 59 § 3; 1978, 457 § 3, 514 § 287.)

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; revised, 1978, 457 § 2; 514 § 76. (See 1978, 457 § 3, 514 § 287.)

SECTS. 6-7A repealed, 1978, 580 § 30. (See 1978, 580 § 40.)

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; second sentence amended, 1978, 514 § 77; second paragraph, sentence added, 1978, 359 § 1. (See 1964, 285 § 3; 1973, 925 § 84; 1978, 359 § 2, 514 § 287.)

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; revised, 1978, 62. (See 1933, 254 § 66; 1972, 719 § 2.)

SECTS. 12A-12F added, 1979, 797 § 13 (relative to certain asessments). (See 1979, 797 § 25.)

SECT. 12A, first sentence revised, 1980, 261 § 14.

SECT. 16 amended, 1937, 114.

SECT. 17A added, 1974, 343 (establishing municipal liens for certain expenses incurred by municipalities).

SECTS. 13-17A repealed, 1978, 580 § 30. (See 1978, 580 § 40.)

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause First revised, 1978, 581 § 4; clause Second revised, 1936, 362 § 2; (See 1933, 254 § 66; 1936, 362 § 8; 1978, 581 § 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. 20A added, 1980, 580 § 12 (limiting certain increases of costs, chargesand fees on cities and towns).

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 certaintraining programs).

SECT. 21C added, 1980, 580 § 1 (limiting state and local taxation and expenditures).

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; first paragraph amended, 1978, 514 § 78; paragraph inserted after second paragraph, 1975, 375 § 3; fourth paragraph revised, 1976, 393; paragraph added, 1980, 413 § 1. (See 1980, 413 § 2.) Temporarily affected, 1954, 43. (See 1951, 798 § 8; 1952, 359; 1953, 119; 1955, 202 § 2; 1969, 849 § 79; 1978, 514 § 287.)

SECT. 23A amended, 1963, 160 § 14; 1971, 766 § 21. revised, 1979, 797 § 14. (See 1979, 797 § 25.)

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; 1967, 315 § 1; second paragraph amended, 1969, 546 § 9; second paragraph, certain definitions revised, 1977, 322; third paragraph amended, 1980, 580 § 8. (See 1969, 546 § 34).

SECT. 25, first sentence revised, 1950, 257; amended, 1953, 654 § 30; 1963, 160 § 16; 1971, 766 § 21; 1978, 514 § 79; sentence added, 1949, 105 § 2. (See 1978, 514 § 287.)

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; second paragraph amended, 1978, 514 § 80; paragraph added, 1978, 576 § 1; section revised 1979, 797 § 15. (See 1978, 514 § 287; 576 § 2; 1979, 797 § 25.)

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; first and second paragraphs revised, 1978, 514 § 81; third paragraph, first sentence revised, 1978, 514 § 82. (See 1952, 614 § 3; 1978, 514 § 287.)

SECTS. 38B-38C added, 1970, 118 (authorizing assessors to require written returns and testimony under oath); repealed, 1978, 580 § 30. (See 1978, 580 § 40.)

SECTS. 38D-38E added, 1979, 797 § 16 (authorizing assessors to require certain written returns and testimony under oath); (See 1979, 797 § 25.)

SECT. 39 amended, 1933, 254 § 36; 1939, 451 § 22; revised, 1953, 468, 654 § 32; 1955, 344 § 1; amended, 1978, 514 § 83. (See 1933, 254 § 66; 1955, 344 § 3; 1978, 514 § 287.)

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.

SECTS. 40-42 stricken out and three sections inserted, 1978, 514 § 84. (See 1978, 514 § 287.)

SECT. 43, first sentence revised, 1948, 112 § 1.

SECT. 44 amended, 1963, 160 § 19; 1973, 671 § 1; revised, 1978, 580 § 31; 1979, 797 § 17. (See 1973, 671 § 3; 1978, 580 § 40; 1979, 797 § 25.)

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; 1978, 580 § 32. (See 1973, 671 § 3; 1978, 580 § 40.)

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. 52A added, 1980, 180 (requiring assessors to deliver certain plans to the land court department of the trial court).

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; 1979, 503 § 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; 1979, 503 § 5.)

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; amended, 1978, 580 § 33; 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; 1978, 580 § 40.) 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; first sentence amended, 1978, 580 § 34; 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; 1978, 580 § 40.)

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; 1980, 406 § 1. (See 1976, 250 § 6; 1980, 406 § 4.)

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. 76 revised, 1978, 580 § 35. (See 1978, 580 § 40.)

SECT. 77 revised, 1945, 333.

SECT. 78 amended, 1941, 258 § 5; last sentence revised, 1969, 849 § 70. (See 1969, 849 § 79.)

SECT. 78A added, 1979, 797 § 18 (relative to certain apportionments); third sentence revised, 1980, 261 § 15. (See 1979, 797 § 25.)

SECT. 79 amended, 1938, 150 § 1; last sentence revised, 1946, 251 § 2. (See 1946, 251 § 3.)

SECTS. 79-80 repealed, 1978, 580 § 36. (See 1978, 580 § 40.)

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. 90 revised, 1978, 580 § 37. (See 1978, 580 § 40.)

SECT. 94 revised, 1969, 532 § 4. (See 1969, 532 § 5.)

Chapter 59A. — Classification of Real Property

New chapter inserted, 1978, 580 § 38. (See 1978, 580 § 40.)

Chapter repealed, 1980, 261 § 16.

SECT. 42 revised, 1979, 578 § 1.

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; third sentence revised, 1980, 97. (See 1976, 4 § 33.)

SECT. 2A added, 1980, 187 (authorizing cities and towns to enter into agreements with certain banks for the collection of accounts payable).

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; second, third and fourth sentences revised, 1978, 580 § 39; third, fourth and fifth sentences stricken out, two sentences inserted, 1979, 797 § 19. (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; 1978, 580 § 40; 1979, 797 § 25.)

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; amended, 1978, 514 § 85. (See 1978, 514 § 287.)

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; 1980, 64 § 1; clause 11 revised, 1971, 273 § 2; 1980, 64 § 1; 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. 20 revised, 1979, 88.

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; 1978, 534; sentence inserted after fourth sentence, 1976, 163; fifth sentence revised, 1980, 412; 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. 24 revised, 1980, 64 § 2.

SECT. 25 revised, 1977, 175.

SECT. 27 revised, 1980, 64 § 3.

SECT. 29 revised, 1963, 160 § 29; 1980, 64 § 4.

SECT. 30 revised, 1980, 64 § 5.

SECT. 31 revised, 1980, 64 § 6.

SECT. 34, first sentence amended, 1947, 313; section revised, 1980, 64 § 7.

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. 57A added, 1979, 282 (providing for a penalty for tendering an insufficient funds check in payment of certain taxes).

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; revised, 1979, 503 § 2;

amended, 1980, 261 § 17; 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; 1979, 503 § 5.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3; third sentence amended, 1970, 235 § 2; 1976, 250 § 4; revised, 1979, 503 § 3. (See 1970, 235 § 4; 1976, 250 § 6; 1979, 503 § 5.)

SECT. 65 amended, 1933, 325 § 12; 1938, 305; 1971, 716 § 1; first sentence revised, 1973, 1215 § 5; sentence added, 1978, 345. (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; second sentence revised, 1979, 503 § 4; paragraph added, 1935, 354 § 1. (See 1935, 224 § 6, 354 § 3; 414 § 4; 1966, 363 § 3; 1970, 235 § 4; 1976, 250 § 6; 1979, 503 § 5.)

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; second and third sentences revised, 1978, 514 § 86. (See 1978, 514 § 287.)

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 sentence revised, 1979, 162 § 1; 1979, 451; third paragraph amended, 1963, 201; 1966, 114 § 1; sentence

added, 1968, 353 § 1; fourth paragraph stricken out, two paragraphs added, 1979, 162 § 2. (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. 90 revised, 1980, 64 § 8.

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; first sentence amended, 1980, 580 § 9; third paragraph revised, 1978, 514 § 87; fourth paragraph, first sentence revised, 1978, 467; 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; 1978, 514 § 287.)

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; tenth sentence revised, 1980, 406 § 2; eleventh sentence revised, 1978, 152. (See 1934, 375 § 2; 1959, 371 § 2; 1962, 231 § 4; 1976, 415 § 116; 1980, 406 § 4.) Affected by 1962, 727.

SECT. 2A added, 1938, 492 § 1 (providing for the suspension of certificates of registration in cases of nonpayment of the excise on registered motor vehicles); last sentence stricken out, 1943, 18; second sentence revised, 1945, 443; section revised, 1953, 339 § 1; amended, 1958, 91; first sentence revised, 1976, 398 § 2; 1977, 737 § 2; 1978, 514 § 88; second sentence revised, 1969, 183; amended, 1980, 572 § 15; third sentence revised, 1973, 139; amended, 1978, 183; two sentences inserted after third sentence, 1970, 250. (See 1953, 339 § 2; 1976, 398 § 2; 1977, 737 § 3; 1978, 514 § 287; 1980, 572 § 417.)

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 60B. — Excise on Boats, Ships and Vessels in Lieu of Local Property Tax.

New chapter inserted, 1978, 581 § 5. (See 1978, 581 § 8.)

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; fourth paragraph revised, 1979, 797 § 20; fifth paragraph, fourth sentence amended, 1978, 514 § 89. (See 1943, 461 §§ 4 and 5; 1969, 873 § 5; 1978, 514 § 287; 1979, 797 § 25.)

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. 4, paragraph added, 1979, 797 § 21; revised, 1980, 261 § 18. (See 1979, 797 § 25.)

SECT. 6 amended, 1978, 514 § 90. (See 1978, 514 § 287.)

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; paragraph inserted after second paragraph, 1978, 382 § 1.

SECT. 11 amended, 1976, 68; 1978, 514 § 91. (See 1978, 514 § 287.)

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. 18, second sentence stricken out and six sentences inserted, 1978, 382 § 2.

SECT. 19 revised, 1975, 794 § 11.

SECT. 19A added, 1975, 794 § 12 (relative to the issuance of certain certificates of certain taxes).

SECT. 20 amended, 1978, 514 § 92. (See 1978, 514 § 287.)

SECT. 22 revised, 1978, 514 § 93. (See 1978, 514 § 287.)

Chapter 61B. — Classification and Taxation of Recreational Land

New Chapter inserted, 1979, 713 § 1. (See 1979, 713 § 5.)

SECT. 2, paragraph added, 1980, 261 § 19.

SECT. 7, first paragraph, second and third sentences revised, 1980, 261 § 20; second paragraph, fifth sentence revised, 1980, 261 § 20A.

SECT. 16 revised, 1980, 261 § 21.

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 revised, 1978, 514 § 94; subsection (b) revised, 1945, 735 § 1; amended, 1957, 445 § 1; revised, 1959, 556 § 1; stricken out, 1978, 514 § 94; subsection (c) amended, 1957, 445 § 2; revised, 1977, 599 § 1; paragraph Third added, 1935, 489 § 6; subsection revised, 1979, 408 § 1; 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; subsection (*k*) stricken out, 1979, 409 § 1; (See 1945, 735 § 5; 1954, 679 § 7; 1957, 445 § 3, 491 § 2; 1958, 554 § 2; 1977, 599 § 11; 1978, 514 § 287; 1979, 408 § 2;409 § 7.)

SECT. 2, subsection (*a*), paragraph (2), subparagraph (F) revised, 1977, 599 § 2; subparagraph (G) added, 1979, 796 § 8; subsection (*c*), paragraph (3)added, 1979, 409 § 2; subsection (*d*), paragraph (3) revised, 1977, 599 § 3; subsection (*d*) paragraphs (9)-(11) added, 1977, 599 § 4; (See 1977, 599 § 11; 1979, 409 § 7; 1979, 796 § 35.)

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; subparagraph (9)

added 1980, 580 § (allowing a tax deduction for rent of a residence). (SEE TABLE OF CHANGES AT SECTION3 OF CHAPTER 72.) paragraph (*b*) subparagraph (5) revised, 1977, 599 § 8; paragraph revised, 1979, 409 § 3; subparagraph (2), subsection (A) revised, 1979, 409 § 6; (See 1977, 599 § 11; 1979, 409 § 7.)

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; paragraph (*b*) amended, 1978, 514 § 95. (See 1957, 677 § 8; 1958, 491 § 3; 1978, 514 § 287.)

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; subsection (*b*), clause (1), sentence added, 1980, 577 § 2A; subsection (*d*) added, 1979, 796 § 9; second paragraph amended, 1980, 485; 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; 1979, 796 § 35.__)

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. section repealed, 1979, 409 § 4. (See 1958, 576 § 3; 1977, 599 §§ 8, 11; 1979, 409 § 7.)

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 (*c*) revised, 1979, 408 § 1; subsection (e) revised, 1973, 723 § 16; subsection (*k*) stricken out, 1979, 409 § 1. (See 1973, 723 § 19; 1979, 408 § 2;409 § 7.)

SECT. 2, subsection (a), paragraph (2), subparagraph (F) revised, 1975, 684 § 38; paragraph (G) added, 1979, 796 § 8;subsection (b), paragraph (1), subparagraph (A) revised, 1974, 77 § 1; subsection (c), paragraph (3) added, 1979, 409 § 2;subsection (d) revised, 1975, 684 § 39. (See 1974, 77 § 2; 1975, 684 § 97; 1979, 796 § 8; 409 § 7.)

SECT. 3, subsection B, paragraph (a), subparagraph (7) added, 1974, 848, § 1; paragraph (*b*) revised, 1979, 409 § 3; subparagraph (2), subsection (A) revised, 1979, 409 § 6; 684 § 40. (See 1974, 848 § 2; 1975, 684 § 97; 1979, 409 § 7.)

SECT. 4, paragraph (a) revised, 1975, 684 § 41. (See 1975, 684 § 97.)

SECT. 6, subsection (b), paragraph (2) revised, 1976, 415 § 6; subsection (*c*) added, 1978, 403 § 1; subsection (*d*) added, 1979, 796 § 9. (See 1976, 415 § 116; 1978, 403 § 2; 1979, 796 § 35.)

SECT. 6C added, 1975, 774 § 4 (providing for a one dollar contribution to the state election campaign fund). (See 1975, 774 § 5.)

SECT. 7 repealed, 1979, 409 § 4. (See 1979, 409 § 7.)

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; revised, 1978, 514 § 96. (See 1978, 514 § 287.)

SECT. 17 revised, 1955, 780 § 4. (See 1955, 780 § 10.)

SECT. 18 See Sect. 18 of Chapter 58 in this Table.

SECTS. 17-21 stricken out and sections 17, 18 and 19 inserted, 1966, 698 § 18.

SECT. 17 subsection (a) amended, 1971, 555 § 9; subsection (b) amended, 1970, 561 § 1; subsection (c) amended, 1971, 555 § 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; paragraph (D), fifth sentence revised, 1978, 514 § 97. (See 1958, 308 § 2; 1971, 555 § 67; 1973, 723 § 19; 1978, 514 § 287.)

SECT. 64 added, 1968, 423 § 1 (providing income tax table for taxpayers' use); amended, 1978, 514 § 98. (See 1968, 423 § 2; 1978, 514 § 287.)

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 "Commission" stricken out and definition of "Commissioner" revised, 1978, 514 § 99; 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; 1978, 514 § 287.)

SECT. 2, first sentence amended, 1966, 698 § 33; revised, 1978, 514 § 100; fourth paragraph amended, 1978, 514 § 101; fifth paragraph amended, 1978, 514 § 102. (See 1978, 514 § 287.)

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; paragraph (*d*) amended, 1978, 514 § 103; paragraph (*e*) amended, 1978, 514 § 104. (See 1971, 555 § 67; 1978, 514 § 287.)

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; amended, 1978, 514 § 105. (See 1963, 714 § 10; 1969, 546 § 34; 1975, 684 § 97; 1976, 415 § 116; 1978, 514 § 287.)

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; clause (*d*) revised, 1978, 514 § 106; fourth paragraph amended, 1978, 514 § 107; fifth paragraph amended, 1978, 514 § 108; sixth paragraph amended, 1978, 514 § 109; paragraph added, 1963, 434 § 1. (See 1960, 159 § 2; 1963, 434 § 2; 1976, 415 § 116; 1978, 514 § 287.)

SECT. 14, second paragraph amended, 1978, 514 § 110. (See 1978, 514 § 287.)

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 (*a*), first sentence revised, 1980, 27 § 2; paragraph (*b*) amended, 1966, 698 § 43; paragraph (*d*) amended, 1966, 698 § 44. (See 1969, 536 § 3; 1980, 27 § 11.)

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. 1, definition of "Commission" stricken out and definition of "Commissioner" revised, 1978, 514 § 111; definitions of "Promoter" and "Show" inserted, 1980, 395 § 1. (See 1978, 514 § 287.)

SECT. 2 revised, 1977, 219 § 2. (See 1977, 219 § 7.)

SECT. 3 amended, 1978, 514 § 112. (See 1978, 514 § 287.)

SECT. 4, first paragraph revised, 1978, 514 § 113; third paragraph revised, 1978, 514 § 114. (See 1978, 514 § 287.)

SECT. 5 amended, 1978, 514 § 115. (See 1978, 514 § 287.)

SECT. 8A added, 1980, 395 § 2 (requiring the filing of certain reports by promoters).

SECT. 10 amended, 1978, 514 § 116. (See 1978, 514 § 287.)

SECT. 12, paragraph (*c*) revised, 1977, 816 § 22; paragraph (*e*) revised, 1977, 816 § 23.

SECT. 16, paragraph (*a*) revised, 1980, 577 § 3; paragraph (*b*) amended, 1978, 514 § 117; stricken out, 1980, 403 § 3; paragraph (*h*) amended, 1978, 514 § 118; paragraph (*i*) amended, 1978, 514 § 119. (See 1978, 514 § 287; 1980, 403 § 15.)

SECT. 16A added, 1980, 577 § 4 (relative to the computation of fuel taxes).

SECT. 17, paragraph (*a*) amended, 1978, 514 § 120; third sentence amended, 1980, 572 § 16. (See 1978, 514 § 287; 1980, 572 § 417.)

SECT. 18, subsection (*a*) second sentence revised, 1977, 219 § 3; section revised, 1977, 219 § 4. (See 1977, 219 § 7.)

SECT. 21, subsection (*a*) amended, 1980, 403 § 4; subsection (*b*), clause (1) revised, 1977, 459 § 1; clause (3) revised, 1977, 219 § 5, 459 § 2; clauses(9) and (10) added, 1978, 367 § 54; clause (9) inserted 1978, 543; stricken out 1980, 403 § 5; clause (11) added, 1980, 403 § 5. (See 1977, 219 § 7; 1977, 459 § 7; 1978, 367 § 72; 1980, 403 § 15.)

SECT. 23 amended, 1978, 514 § 121. (See 1978, 514 § 287.)

SECT. 25 amended, 1980, 403 § 6. (See 1980, 403 § 15.)

SECT. 30, second paragraph revised, 1978, 514 § 122; third paragraph amended, 1978, 514 § 123. (See 1978, 514 § 287.)

SECT. 32 revised, 1980, 27 § 3. (See 1980, 27 § 11.)

SECT. 33, third paragraph amended, 1978, 514 § 124; section revised, 1980, 27 § 4. (See 1978, 514 § 287; 1980, 27 § 11.)

SECT. 33A, second paragraph amended, 1980, 403 § 7. (See 1980, 403 § 15.)

SECT. 34, sentence inserted after second sentence, 1980, 395 § 3

SECT. 36, paragraph added, 1977, 827.

SECT. 37 amended, 1978, 514 § 125; second paragraph revised, 1978, 514 § 126; third paragraph amended, 1978, 514 § 127; 1980, 403 § 8. (See 1978, 514 § 287; 1980, 403 § 15.)

SECT. 38 amended, 1978, 514 § 128. (See 1978, 514 § 287.)

SECT. 39 amended, 1978, 514 § 129. (See 1978, 514 § 287.)

SECT. 40, first paragraph revised, 1980, 27 § 5. (See 1980, 27 § 11.)

SECT. 42 amended, 1978, 514 § 130. (See 1978, 514 § 287.)

SECT. 43 amended, 1978, 514 § 131. (See 1978, 514 § 287.)

SECT. 45, revised, 1977, 583 § 1; 1978, 514 § 132. (See 1977, 583 § 2; 1978, 514 § 287.)

SECT.45A added, 1980, 27 § 6 (permitting the commissioner to promulgate regulations relative to estimated payments of taxes).

SECT. 50, subsection (*d*) amended, 1978, 514 § 133; subsection (*f*) amended, 1978, 514 § 134. (See 1978, 514 § 287.)

SECT. 51, fifth sentence revised, 1978, 514 § 135. (See 1978, 514 § 287.)

SECT. 52 amended, 1978, 514 § 136; last sentence stricken out and two sentences added, 1980, 572 § 17. (See 1978, 514 § 287; 1980, 572 § 417.)

SECT. 56, subsection (*e*), paragraph (2) amended, 1978, 514 § 137. (See 1978, 514 § 287.)

SECT. 57, second paragraph amended, 1980, 403 § 9. (See 1980, 403 § 15.)

SECT. 64, subsection (*a*) revised, 1978, 514 § 138. (See 1977, 514 § 287.)

SECT. 67, fifth paragraph revised, 1977, 459 § 3; section amended, 1978, 514 § 139; first paragraph amended, 1980, 403 § 10; fifth paragraph revised, 1980, 499 § 1; fourth and fifth paragraphs revised, 1980, 572 § 18. (See 1977, 459 § 7; 1978, 514 § 287; 1980, 403 § 15; 1980, 499 § 3; 1980, 572 § 417.)

SECT. 67A added, 1980, 395 § 4 (requiring promoters to file certain notices).

SECT. 69 amended, 1978, 514 § 140. (See 1978, 514 § 287.)

SECT. 70 amended, 1978, 514 § 141. (See 1978, 514 § 287.)

SECT. 71 amended, 1978, 514 § 142. (See 1978, 514 § 287.)

SECT. 73 amended, 1978, 514 § 143. (See 1978, 514 § 287.)

SECT. 76 amended, 1980, 395 § 5.

SECT. 78 added, 1979, 277.

SECT. 79 added, 1980, 27 § 7. (See 1980, 27 § 11.)

Chapter 62D.

New chapter inserted, 1978, 367 § 53. (See 1978, 367 § 72.)

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; three sentences added, 1979, 796 § 10; clause (*b*) amended, 1973, 752 § 1; sentence added, 1978, 69 § 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; 1978, 69 § 3; 1979, 796 § 35.)

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); subsection (*c*) amended, 1978, 514 § 144; subsection (*d*) amended, 1978, 514 § 145. (See 1978, 514 § 287.)

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; last paragraph revised, 1978, 530 § 1; 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; 1978, 530 § 2.)

SECT. 38A revised, 1966, 698 § 59; 1971, 555 § 34. (See 1971, 555 § 67.)

SECT. 38B, first sentence amended, 1953, 654 § 58; last paragraph amended, 1935, 473 § 3; revised, 1956, 379 § 2; section revised, 1956, 550 § 8; amended, 1962, 560 § 1; last two paragraphs stricken out, 1962, 756 § 7; section revised, 1966, 698 § 60; 1971, 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 deducation 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. 38E, subsection (*d*) amended, 1978, 514 § 146. (See 1978, 514 § 287.)

SECT. 38F revised, 1977, 939 § 4; 1978, 69 § 2. (See 1978, 69 § 3.)

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; eighth sentence amended, 1978, 514 § 147. (See 1976, 415 § 116; 1978, 514 § 287.)

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; revised, 1978, 514 § 148. (See 1947, 622 § 5; 1978, 514 § 287.)

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; 1953, 654 § 65; revised, 1954, 515 § 7; first sentence revised, 1958, 523 § 3; amended, 1961, 277. (See 1958, 523 § 4.)

SECT. 71A amended, 1935, 150; 1939, 451 § 30; 1953, 654 § 66; revised, 1958, 305; 1973, 922 § 3; 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. 1, subsection (*a*) revised, subsection (*b*) stricken out, 1978, 514 § 149. (See 1978, 514 § 287.)

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; 1978, 514 § 150. (See 1976, 415 § 116; 1978, 514 § 287.)

SECT. 3, first paragraph revised, 1975, 427 § 1; second paragraph amended, 1978, 514 § 151. (See 1975, 427 § 3; 1978, 514 § 287.)

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*), first sentence revised, 1980, 27 § 8; 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; 1980, 27 § 11.)

SECT. 7 amended, 1978, 514 § 152. (See 1978, 514 § 287.)

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 (*a*) revised, 1978, 514 § 153; 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; paragraphs (*k*) and (*l*) added, 1980, 577 § 5. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4; 1956, 619 § 6; 1957, 617 § 13; 1976, 415 § 116; 1978, 514 § 287.)

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; 1980, 577 § 6. (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; 1979, 481 § 1; 1980, 577 § 7. (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; 1979, 481 § 13.)

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 (relativeto 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; second sentence amended, 1978, 514 § 154; third sentence amended, 1962, 715 § 3; revised, 1963, 503 § 1. (See 1956, 552 § 3; 1957, 383 § 4, 728 § 5; 1963, 503 § 2;1978, 514 § 287.)

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; third and fourth sentences revised, 1978, 514 § 155. (See 1960, 410 § 2; 1968, 257 § 3; 1978, 514 § 287.)

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; amended, 1978, 514 § 156. (See 1957, 617 § 13; 1959, 540 § 2; 1976, 415 § 116; 1978, 514 § 287.)

SECT. 9 amended, 1953, 654 § 75; 1978, 514 § 157. (See 1978, 514 § 287.)

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; section revised, 1979, 481 § 2; paragraph (*c*) amended, 1980, 403 § 11; section revised, 1980, 577 § 8. (See 1971, 497 § 15; 1977, 356 § 12; 1979, 481 § 13; 1980, 403 § 15.)

Chapter 64B. — Excise upon Charges for Meals served to the Public.

New chapter inserted, 1941, 729 § 17. (See 1941, 729 § 15.)

SECT. 1, definition of "taxable charge", revised, 1945, 663 § 1; 1946, 326 § 1; 1949, 725; 1953, 627 § 1; 1971, 555 § 44A; amended, 1973, 723 § 12; 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; first

two sentences revised, 1979, 481 § 3. (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; 1979, 481 § 13.)

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. 26 amended, 1978, 514 § 158. (See 1978, 514 § 287.)

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; section revised, 1979, 481 § 4. (See 1969, 361 § 5; 1971, 245 § 4; 1976, 415 § 116;1979, 481 § 13.)

SECTS. 29-39 added, 1966, 435 § 5 (providing that payment of the cigarette excise be evidenced by stamps affixed to the cigarette packages).

SECT. 29 amended, 1978, 514 § 159. (See 1978, 514 § 287.)

SECT. 30, third paragraph revised, 1969, 361 § 3; section revised, 1976, 415 § 59; amended, 1978, 514 § 160. (See 1969, 361 § 5; 1976, 415 § 116; 1978, 514 § 287.)

SECT. 31 amended, 1978, 514 § 161. (See 1978, 514 § 287.)

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; 1978, 514 § 162. (See 1976, 415 § 116; 1978, 514 § 287.)

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; 1978, 198. (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; amended, 1978, 514 § 163. (See 1976, 415 § 116; 1978, 514 § 287.)

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. 1, paragraph (*a*) revised, paragraph (*b*) stricken out, 1978, 514 § 164. paragraphs (*k*) and (*l*) added, 1980, 577 § 9. (See 1978, 514 § 287.)

SECT. 2, fourth paragraph revised, 1975, 819 § 1; section revised, 1976, 415 § 64; fourth paragraph, sentence added, 1980, 544 § 1. (See 1975, 819 § 7; 1976, 415 § 116; 1980, 544 § 2.)

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; 1979, 481 § 5; 1980, 577 § 10. (See 1956, 718 §§ 14, 15; 1960, 411 § 3; 1965, 451 §§8, 9A, 10; 1969, 546 § 34; 1971, 497 § 15; 1976, 415 § 116; 1979, 481 § 13.)

SECT. 5 revised, 1957, 382 § 2, 728 § 2; amended, 1978, 514 § 165. (See 1957, 382 § 4; 728 § 5; 1978, 514 § 287.)

SECT. 7 revised, 1957, 382 § 3. (See 1957, 382 § 4.)

SECTS. 6-8 repealed, 1976, 415 § 109. (See 1976, 415 § 116.)

SECT. 10 amended, 1978, 514 § 166. (See 1978, 514 § 287.)

SECT. 11 revised, 1961, 64; amended, 1976, 415 § 66. (See 1976, 415 § 116.)

SECT. 13 revised, 1971, 497 § 5; 1979, 481 § 6. (See 1971, 497 § 15; 1979, 481 § 13.)

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. 1, paragraph (*a*) revised, paragraph (*b*) stricken out, 1978, 514 § 167. (See 1978, 514 § 287.)

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; 1979, 481 § 7; amended, 1980, 577 § 11; 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; 1979, 481 § 13.)

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. 5 revised, 1980, 499 § 2. (See 1980, 499 § 3.)

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; 1979, 481 § 8. (See 1956, 718 §§ 14, 15; 1960, 375 § 3; 1971, 497 § 15; 1976, 415 § 116; 1979, 481 § 13.)

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; 1979, 481 § 9. (See 1971, 497 § 15; 1979, 481 § 13.)

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 (2) revised, paragraph (3) stricken out, 1978, 514 § 168; 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; 1978, 514 § 287.)

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; line (1) amended, 1979, 700; 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 (*t*) revised, 1978, 514 § 169; 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; amended, 1978, 367 § 49, 514 § 169A; paragraph (*cc*) added, 1977, 363A § 47; revised, 1978, 413, 514 § 169B; paragraph (*dd*) added, 1977, 989; paragraph (*ee*) added, 1979, 555; paragraph (*ff*) added, 1979, 590 § 1; paragraph (*gg*) added, 1979, 757; paragraph (*gg*) added, 1979, 796 § 11. stricken out and paragraph (*hh*) inserted, 1980, 261 § 22. (See 1968, 87 § 2; 1971, 555 § 67; 1975, 684 § 97; 1978, 367 § 72, 514 § 287; 1979, 796 § 35.)

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.

SECTS. 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; revised, 1980, 557 § 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. 29 amended, 1978, 514 § 170. (See 1978, 514 § 287.)

SECT. 30 repealed, 1976, 415 § 112. (See 1976, 415 § 116.)

SECT. 30A added, 1973, 706 § 1 (filing of bond or deposit by nonresident 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; 1978, 514 § 171. (See 1976, 415 § 116; 1978, 514 § 287.)

SECT. 2 revised, 1975, 684 § 67; sentence added, 1976, 415 § 79. (See 1975, 684 § 97; 1976, 415 § 116.)

SECT. 3 amended, 1978, 514 § 172. (See 1978, 514 § 287.)

SECT. 4, second paragraph revised, 1967, 797 § 3; amended, 1978, 514 § 173; paragraph added, 1971, 555 § 47. (See 1971, 555 § 67; 1978, 514 § 287.)

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; second paragraph amended, 1978, 514 § 174. (See 1978, 514 § 287.)

SECT. 26A added, 1969, 558 § 4 (relating to sales and use tax on boats and airplanes).

SECT. 27 amended, 1970, 564 § 2; revised, 1980, 557 § 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 nonresident 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; second sentence revised, 1978, 514 § 175; amended, 1980, 403 § 12. (See 1978, 514 § 287; 1980, 403 § 15.)

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; first paragraph, fourth sentence amended, 1980, 572 § 19; second paragraph stricken out and two paragraphs inserted, 1972, 712 § 2. (See 1961, 469 § 4; 1969, 541 § 4; 1971, 555 § 67; 1980, 572 § 417.)

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; sentence inserted after first sentence, 1978, 106. (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; 1978, 514 § 176. (See 1978, 514 § 287.)

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; third paragraph amended, 1978, 514 § 177; fourth paragraph amended, 1978, 514 § 177A; sixth paragraph amended, 1978, 514 § 177B. (See 1976, 415 § 116; 1978, 514 § 287.)

SECT. 27A revised, 1977, 514 § 178. (See 1978, 514 § 287.)

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,

555 § 61; section revised, 1980, 572 § 20. (See 1969, 541 § 4; 1971, 555 § 67; 1980, 572 § 417.)

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; section amended, 1978, 514 § 179. (See 1937, 420 § 4; 1973, 708 § 10; 1978, 514 § 287.)

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. 1 amended, 1978, 514 § 180. (See 1978, 514 § 287.)

SECT. 3 amended, 1953, 654 § 92; 1978, 514 § 181. (See 1978, 514 § 287.)

SECT. 4, paragraph (*a*) amended, 1953, 654 § 93; 1978, 514 § 182. (See 1978, 514 § 287.)

Chapter 65C. — Massachusetts Estate Tax.

New chapter inserted, 1975, 684 § 74. (See 1975, 684 § 97.)

SECT. 1, paragraph (*b*) revised, paragraph (*c*) stricken out, 1978, 514 § 183. (See 1978, 514 § 287.)

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; amended, 1978, 514 § 184. (See 1976, 415 § 116; 1978, 514 § 287.)

SECT. 9 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECT. 10, subsection (*b*), first sentence revised 1976, 415 § 92; second sentence amended, 1978, 514 § 185. (See 1976, 415 § 116; 1978, 514 § 287.)

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; section revised, 1980, 572 § 21. (See 1977, 459 § 7; 1980, 572 § 417.)

SECT. 25 repealed, 1976, 415 § 115. (See 1976, 415 § 116.)

SECT. 27 revised, 1980, 403 § 13. (See 1980, 403 § 15.)

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 (*a*) revised, 1978, 294; 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; amended, 1978, 367 § 54C. (See 1978, 367 § 72.)

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. 17D added, 1980, 328 (regulating access to the Massachusetts natural heritage program data base).

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. 19, penultimate sentence amended, 1980, 572 § 22. (See 1980, 572 § 417.)

SECT. 20, subsection (11) revised, 1972, 393.

SECT. 21, subsection (*c*) amended, 1972, 613, § 1.

SECT. 23, clause (a), third sentence amended, 1980, 572 § 23. (See 1980, 572 § 417.)

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).

SECT. 33 added, 1979, 658 (regulating the activities of paid solicitors of funds from the public for charitable, political or civic purposes).

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; amended, 1980, 572 § 24. (See 1972, 684 § 136; 1980, 572 § 417.)

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; amended, 1978, 393 § 31; first sentence amended, 1980, 329§ 113. (See 1978, 393 § 45; 1980, 329 § 133.)

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; 1980, 329 § 114. (See 1954, 627 §§ 65, 67; 1977, 771 § 2; 1980, 329 § 133.)

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 sentence amended, 1980, 329 § 115; second paragraph amended, 1967, 502; third sentence amended, 1972, 766 § 7. (See 1972, 766 § 23; 1980, 329 § 133.)

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; second paragraph, first sentence amended, 1980, 329 § 116. (See 1973, 786 § 2; 1980, 329 § 133.)

SECT. 7F added, 1972, 602 (establishing education scholarships for certain children of prisoners of war or servicemen missing in action in Southeast Asia); second paragraph, first sentence amended, 1980, 329 § 117. (See 1980, 329 § 133.)

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 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 audioequipment 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; 1980, 329 § 118; 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; first sentence amended, 1980, 329 § 119; second sentence amended, 1980, 329 § 119. (See 1980, 329 § 133.)

SECT. 31, introductory paragraph amended, 1965, 572 § 13; revised, 1974, 782 § 2; first sentence amended, 1980, 329 § 120; clause Second amended, 1972, 159 § 1; clause Thirteenth amended, 1972, 159 § 2. (See 1980, 329 § 133.)

SECT. 31A added, 1964, 66 (further regulating the awarding of degrees by educational institutions in the commonwealth); revised, 1975, 669; second sentence amended, 1980, 329 § 121.

SECT. 31B added, 1973, 305 (requiring the transfer of certain records to the board of higher education); amended, 1980, 329 § 122. (See 1980, 329 § 133.)

SECT. 31C added, 1973, 564 (requiring institutions to notify certain applicants of whether said institutions have certain academic accreditation).

SECT. 31D added, 1980, 329 § 83 (relative to eligibility for matching scholarship grants). (See 1980, 329 § 134.)

SECTS. 32 AND 33 added, under caption, 1951, 673 § 7 (relative to instruction of visually handicapped and blind children).

SECT. 33, sentence added, 1952, 397.

SECT. 34 added, 1968, 706 (relating to itinerant programs for visually handicapped children).

SECTS. 32-34 repealed, 1972, 766 § 8. (See 1972, 766 § 23.)

SECT. 35 added, under caption, 1971, 1005 § 4 (establishing a bureau of transitional bilingual education).

Chapter 70. — School Funds and State Aid for Public Schools (former title, School Funds and Other State Aid for Public Schools).

Chapter stricken out and new chapter 70 (with new title) inserted, 1948, 643 § 1. (See 1948, 643 § 3, 645.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 70, as so inserted:

SECT. 3, first sentence revised, 1956, 599 § 2. (See 1956, 599 § 4, 5.)

SECT. 3A added, 1950, 703 (providing state reimbursement for cities and towns for payment to certain teachers); repealed, 1955, 626 § 2A.

SECT. 3B added, 1950, 774 (providing state reimbursement for towns forming regional school districts); sentence added, 1953, 547 § 2.

SECT. 3C added, 1954, 514 § 4 (providing for reimbursement of cities and towns on account of special education for mentally retarded children); repealed, 1955, 626 § 2A.

SECT. 4, sentence added, 1953, 437 § 1.

SECT. 4A added, 1956, 453 (relative to state reimbursement to certain towns in regional school districts).

SECT. 6 revised, 1951, 592 § 1. (See 1951, 592 § 2.)

SECT. 9, second sentence revised, 1956, 599 § 3. (See 1956, 599 § 5.)

SECT. 10, sentence added, 1950, 620.

SECT. 11 amended, 1960, 403 § 4; revised, 1963, 642 § 4.

Chapter stricken out and new chapter 70 inserted, 1966, 14 § 40. (See 1966, 14 § 79.)

SECT. 2, paragraph (*c*) amended, 1967, 791 § 1; revised, 1970, 871 § 6; amended, 1971, 930 § 1; 1972, 766 § 9; paragraphs (*e*) and (*f*)revised, 1973, 925 § 8. (See 1971, 930 § 2; 1972, 766 § 23; 1973, 925 § 84.)

SECT. 4 amended, 1970, 455 § 1; 1973, 925 § 8A; 1974, 492 § 11. (See 1970, 455 § 2; 1973, 925 § 84; 1974, 492 § 24.)

SECT. 5 amended, 1973, 925 § 8B. (See 1973, 925 § 84.)

Chapter stricken out and new chapter 70 inserted, 1978, 367 § 70B. (See 1978, 367 § 72.)

SECT. 2, paragraph (*a*) amended, 1978, 514 § 186. (See 1978, 514 § 287.)

SECT. 5 amended, 1978, 514 § 187. (See 1978, 514 § 287.)

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; 1979, 692; 1980, 144.

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; 1979, 81.

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; second paragraph amended, 1978, 514 § 188. (See 1978, 514 § 287.)

SECT. 7C added, 1976, 518 § 1 (relative to financial assistance to certain bus transportation programs.)

SECTS. 8 AND 9 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 12 repealed, 1969, 254 § 6.

SECT. 13 revised, 1972, 215 § 1; amended, 1973, 111; revised, 1975, 305; 1979, 259.

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; first paragraph, sentence added, 1978, 456 § 1.

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; 1978, 538 § 1; 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; stricken out, 1978, 512 § 11; clause (*p*) added, 1971, 919; clause (*q*) added, 1972, 49. (See 1969, 849 § 79; 1975, 141 § 3; 1978, 512 § 16, 538 § 2.)

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; paragraph added, 1979, 132; last two sentences stricken out, 1980, 580 § 6. (See 1969, 849 § 79; 1974, 492 § 24.)

SECT. 16B½ added, 1979, 738 § 1 (limiting the amount which a school district may maintain in its excess and deficiency fund). (See 1979, 738 § 2.)

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; stricken out, 1978, 367 § 70D; last sentence revised, 1966, 14 § 51; stricken out, 1978, 367 § 70D. (See 1978, 367 § 72.)

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. 26A revised, 1979, 717 § 2.

SECT. 26B, first sentence revised, 1977, 480.

SECTS. 26E AND 26F stricken out and section 26E inserted, 1966, 14 § 52; repealed, 1978, 367 § 70E. (See 1978, 367 § 72.)

SECT. 29 repealed, 1979, 717 § 3.

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. 33 repealed, 1979, 439 § 1.

SECT. 34 revised, 1939, 294; third sentence revised, 1979, 194 § 2; section revised, 1980, 580 § 7.

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; 1980, 564.

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; paragraph added, 1978, 100.

SECTS. 38A-38F added, 1941, 676 § 2 (relative to occupational guidance and placement). (See 1941, 646.)

SECT. 38B revised, 1966, 14 § 53; repealed, 1978, 367 § 70E. (See 1978, 367 § 72.)

SECT. 38E revised, 1966, 14 § 54; repealed, 1978, 367 § 70E. (See 1978, 367 § 72.)

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. first paragraph amended, 1980, 572 § 25. (See 1951, 278 § 2; 1960, 20 § 2; 1972, 684 § 136; 1980, 572 § 417.)

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); repealed, 1978, 512 § 12. (See 1978, 512 § 16.)

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); two sentences added, 1978, 126; sentence inserted after first sentence, 1979, 400.

SECT. 38O added, 1975, 371 (providing for school committee advisory committee on sex education).

SECT. 38P added, 1980, 520 § 1 (providing for the tenure of school psychologists).

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; section revised, 1979, 717 § 4. (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; second sentence revised, 1979, 361. (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.)

SECTS. 46C AND 46D added, 1954, 514 § 6 (relative to joinder of cities and town for the purpose of conducting special classes for mentally retarded children).

SECT. 46C revised, 1955, 626 § 4; amended, 1956, 535 § 5; revised, 1963, 574; repealed, 1968, 352 § 2.

SECT. 46D repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

SECTS. 46E AND 46F added, 1955, 626 § 2 (providing for reimbursement by the commonwealth of certain costs of conducting special classes approved by the division of special education by certain school districts).

SECT. 46E amended, 1956, 535 § 2; paragraph added, 1962, 708; section amended, 1966, 14 § 56; first paragraph revised, 1969, 546 § 13. (See 1969, 546 § 34.)

SECT. 46F amended, 1956, 535 § 3, 570 § 4; revised, 1960, 628; amended, 1966, 14 § 57; revised, 1969, 546 § 14. (See 1969, 546 § 34.)

SECTS. 46E-46F repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

SECT. 46G added, 1955, 696 (to strengthen the activities of cities and towns in the prevention of juvenile delinquency); second sentence amended, 1968, 66; last sentence revised, 1966, 14 § 58; section revised, 1970, 426.

SECTS. 46H AND 46I added, 1960, 750 § 1 (providing for the instruction and training of certain emotionally disturbed children, and reimbursing cities and towns and school districts expenses incurred in connection therewith). (See 1960, 750 § 3.)

SECT. 46H, third paragraph revised, 1967, 626.

SECT. 46J added, 1962, 555 (providing for joint special education programs for emotionally disturbed children); revised, 1968, 353 § 1.

SECTS. 46K AND 46L added, 1966, 647 § 1 (providing for the instruction and training of children with certain learning impairments).

SECT. 46M added, 1968, 695 (providing that commonwealth pay costs of tuition and transportation for certain physically handicapped children in private schools, hospitals and institutions).

SECTS. 46H-46M repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

SECT. 47 revised, 1935, 199; 1950, 658; 1951, 411 § 1; amended, 1952, 316 § 1; revised, 1954, 271; second sentence amended, 1969, 678; 1970, 721; third sentence amended, 1962, 301 § 3; sentence inserted after third sentence, 1969, 66; fourth sentence revised, 1959, 113; 1962, 301 § 4.

SECT. 47A added, 1954, 220 (authorizing school committees to contract for hire of athletic coaches for periods not exceeding three years).

SECT. 48, paragraph added, 1973, 1196; 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. 49A added, 1978, 124 (allowing school committees to make certain contracts for materials, supplies, services, and equipment which shall be paid in the ensuing fiscal year).

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; section revised, 1980, 111. (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; repealed, 1978, 367 § 70E. (See 1978, 367 § 72.)

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; repealed, 1978, 367 § 70E. (See 1978, 367 § 72.)

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).

SECT. 87 added, 1979, 91 (relative to the removal of the score of any group intelligence tests from the record of a student).

Chapter 71A. — Transitional Bilingual Education.

New chapter inserted, 1971, 1005 § 2.

SECT. 4, third paragraph stricken out, 1978, 367 § 70F. (See 1978, 367 § 72.)

SECT. 8 revised, 1978, 367 § 70G. (See 1978, 367 § 72.)

Chapter 71B. — Children With Special Needs.

New chapter inserted, 1972, 766 § 11. (See 1972, 766 § 23.)

SECT. 1 amended, 1978, 552 § 18.

SECT. 2, first paragraph amended, 1978, 552 § 19.

SECT. 3 amended, 1978, 552 § 20.

SECT. 5, second paragraph revised, 1973, 318 § 1.

SECT. 8, second sentence revised, 1978, 367 § 70H. (See 1978, 367 § 72.)

SECT. 10 amended, 1978, 552 § 21.

SECT. 13, third paragraph revised, 1975, 375 § 1; stricken out and three paragraphs inserted, 1977, 383 § 1; first, third, fourth and fifth paragraphs stricken out, 1978, 367 § 70I. (See 1978, 367 § 72.)

SECT. 13A added, 1975, 375 § 2 (further regulating the application of the distribution of special education funds); revised, 1977, 383 § 2; repealed, 1978, 367 § 70J. (See 1978, 367 § 72.)

SEC. 14 revised, 1978, 367 § 70K. (See 1978, 367 § 72.)

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. Part B, subparagraph (9) added 1980, 580 § 11 (allowing a tax deduction for rent of residence). SHOULD BE SECTION 3 OF CHAPTER 62.

SECT. 6, revised, 1962, 410.

SECT. 8, first two sentences stricken out and one sentence inserted, 1957, 290; first paragraph amended, 1954, 231 § 1; fourth sentence revised, 1966, 14 § 65; 1973, 1073 § 1A; paragraph added, 1959, 321.

Chapter 73. — State Colleges and Community Colleges (former title, State Teachers Colleges and Community Colleges).

Title changed, 1932, 127 § 9; 1948, 620 § 1; 1960, 403 § 5.

SECT. 1 amended, 1932, 127 § 10; revised, 1948, 620 § 2; 1952, 585 § 9; amended, 1952, 618 § 1; revised, 1959, 246 § 2; paragraph added, 1960, 284; section revised, 1960, 403 § 6; five paragraphs added, 1962, 553; section revised, 1963, 642 § 5; first sentence revised, 1964, 561 § 7; first paragraph stricken out and two paragraphs inserted, 1965, 572 § 18; three paragraphs added, 1964, 561 § 8. (See 1948, 620 § 6; 1952, 618 §§ 4-12.)

SECT. 1A added, 1952, 499 § 1 (relative to the increase of fees and charges for services rendered by the department of education); amended, 1959, 246 § 3; revised, 1960, 403 § 7; amended, 1963, 642 § 6.

SECT. 1B added, 1961, 434 (authorizing the board of education to establish activity fees in state colleges); first sentence amended, 1963, 642 § 7; revised, 1964, 561 § 9.

SECTS. 1C AND 1D added, 1963, 642 § 8.

SECT. 1E added, 1973, 1089 § 2 (allowing the location of banks at state and community colleges).

SECT. 2 amended, 1932, 127 § 11; 1960, 403 § 8.

SECT. 2A added, 1938, 246 § 2 (making the constitutions of the United States and of this commonwealth required subjects of instruction in state teachers colleges); amended, 1960, 403 § 9.

SECT. 3 amended, 1932, 127 § 12; first sentence revised, 1952, 618 § 2; section revised, 1960, 403 § 10; amended, 1963, 642 § 9. (See 1952, 618 §§ 4-12.)

SECT. 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 teachers colleges); revised, 1956, 480; first sentence amended, 1960, 403 § 13; 1963, 642 § 11; revised, 1964, 561 § 10.

SECT. 5 amended, 1932, 127 § 15; 1960, 403 § 14; revised, 1963, 642 § 12. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 5A added, 1963, 429 (establishing the State College Research Foundation); repealed, 1963, 642 § 12A.

SECT. 6 amended, 1932, 127 § 16; 1960, 403 § 15; revised, 1963, 642 § 12.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21; 1948, 620 § 3; sentence added, 1950, 60; section revised, 1957, 309; 1958, 605 § 3; amended, 1959, 246 § 4, 592; revised, 1960, 403 § 16; amended, 1963, 86, 642 § 13; last sentence stricken out and two sentences inserted, 1964, 561 § 11; section repealed, 1965, 572 § 19. (See 1948, 620 § 6; 1959, 477.)

SECTS. 8 AND 9 added, 1948, 620 § 4 (relative to the establishment of community colleges by the department of education and providing courses therein). (See 1948, 620 § 6.)

SECT. 8 amended, 1959, 246 § 5; revised, 1960, 403 § 17; amended, 1963, 642 § 14.

SECT. 8A added, 1973, 1189 § 2 (authorizing Vietnam veterans to attend certain classes at community colleges without tuition charge.)

SECT. 9 repealed, 1958, 605 § 4.

SECTS. 10-18 added, 1963, 642 § 15 (relative to the administration of the state colleges). (See 1963, 642 §§ 16, 17.)

SECT. 10, first sentence revised, 1972, 425; second sentence revised, 1964, 561 § 12.

SECT. 16, second paragraph amended, 1964, 357 § 4; third paragraph amended, 1964, 357 § 5; second sentence revised, 1968, 739 § 1; amended, 1970, 148; last paragraph amended, 1967, 846; section amended, 1974, 835 § 142. (See 1964, 357 § 11; 1974, 835 § 185.)

SECT. 19 added, 1968, 334 (changing names of certain state colleges); amended, 1973, 1175 § 6.

SECT. 20 added, 1970, 834 (providing for admission of certain police to state colleges on a cooperative plan); revised, 1972, 550.

Chapter 74. — Vocational Education.

SECT. 1 revised, 1938, 446 § 1; amended, 1941, 617 § 1; "State board" defined, 1952, 630 § 2; definition revised, 1965, 572 § 20; section revised, 1978, 475 § 1. (See 1938, 446 § 14.)

SECT. 2 amended, 1938, 446 § 2; revised, 1952, 630 § 3; 1957, 599 § 1; 1978, 475 § 1. (See 1938, 446 § 14.)

SECT. 2A added, 1972, 263 (Providing guidelines for vocational school work activities); revised, 1978, 475 § 1.

SECT. 3 amended, 1938, 446 § 3; revised, 1957, 599 § 2; 1978, 475 § 1. (See 1938, 446 § 14.)

SECT. 4 amended, 1938, 446 § 4; revised, 1957, 599 § 3; 1978, 475 § 1. (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); revised, 1978, 475 § 2. (See 1952, 471 § 2.)

SECT. 5B added, 1979, 342 § 14(relative to vocational education programs). (See 1979, 342 § 19.)

SECT. 6 amended, 1938, 446 § 5; 1952, 630 § 5; revised, 1957, 599 § 4; 1978, 475 § 3. (See 1938, 466 § 14.)

SECT. 7 amended, 1938, 446 § 6; 1952, 630 § 6; revised, 1957, 599 § 5; amended, 1978, 475 § 4, 552 § 22; revised, 1979, 717 § 5. (See 1938, 446 § 14.)

SECT. 7A amended, 1952, 630 § 7; 1973, 925 § 8E; revised, 1978, 552 § 23. (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; revised, 1978, 552 § 24; sentence added, 1979, 641. (See 1973, 925 § 84.)

SECT. 9 amended, 1938, 466 § 7; 1952, 471 § 4; revised, 1957, 496 § 1, 599 § 6; 1966, 14 § 67; 1967, 791 § 2; first paragraph revised, 1978, 475 § 5; paragraph added, 1974, 773. (See 1938, 446 § 14.)

SECT. 10 revised, 1966, 14 § 68; 1967, 791 § 3; amended, 1978, 552 § 25.

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.

SECTS. 9-12 repealed, 1978, 367 § 70L. (See 1978, 367 § 72.)

SECT. 13 amended, 1938, 446 § 8; revised, 1957, 599 § 7; amended, 1978, 475 § 6. (See 1938, 446 § 14.)

SECT. 14 revised, 1943, 540; paragraph added, 1952, 471 § 6; 1969, 364; section revised, 1978, 475 § 7.

SECT. 14A added, 1943, 540 (relative to federal funds for vocational education); amended, 1952, 630 § 9.

SECT. 14B added, 1978, 546 (creating a revolving fund for the culinary arts program in any vocational educational high school).

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; amended, 1978, 475 § 8. (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, 466 § 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; first paragraph amended, 1979, 660.

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. 52 revised, 1979, 717 § 6.

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; 1980, 329 § 78; 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; 1980, 329 § 134.)

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; third sentence amended, 1980, 572 § 26. (See 1980, 572 § 417.)

SECT. 20 repealed, 1973, 607 § 1. (See 1973, 607 § 9.)

SECT. 21 revised, 1980, 572 § 27. (See 1980, 572 § 417.)

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. 2, second paragraph, last sentence revised, 1980, 572 § 28. (See 1980, 572 § 417.)

SECT. 3, first paragraph revised, 1965, 34 § 2; second paragraph, last sentence revised, 1980, 572 § 29. (See 1980, 572 § 417.)

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, second sentence revised, 1980, 572 § 30; third to seventh sentences stricken out, 1977, 826 § 5. (See 1980, 572 § 417.)

SECT. 3, second paragraph amended, 1973, 737; revised, 1977, 826 § 6.

SECT. 7, second paragraph, second sentence revised, 1980, 572 § 31. fourth paragraph revised, 1977, 826 § 7. (See 1980, 572 § 417.)

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; 1978, 478 § 35; two sentences inserted after third sentence, 1969, 849 § 5; sentence inserted after fifth sentence, 1972, 731 § 5. (See 1947, 241 § 2; 1965, 659 § 7; 1978, 478 § 343.)

SECT. 3, first sentence revised, 1973, 925 § 9; sentence inserted after first sentence, 1974, 344; section revised, 1979, 717 § 7. (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; 1978, 367 § 67; first sentence revised, 1978, 552 § 26; third paragraph revised, 1978, 552 § 27. (See 1977, 363A § 76; 1978, 367 § 72.)

SECT. 8 repealed, 1977, 363A § 56. (See 1977, 363A § 76.)

SECT. 9 revised, 1977 363A § 57; 1978, 367 § 68. (See 1977, 363A § 76; 1978, 367 § 72.)

SECT. 11 revised, 1972, 766 § 13; 1978, 367 § 70M. (See 1972, 76 § 23; 1978, 367 § 72.)

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 added, 1960, 760 § 1; amended, 1963, 672; clauses (1) and (2) revised, 1970, 636 § 1; 1980, 99 § 1; second paragraph amended, 1970, 636 § 2.

SECT. 19C revised, 1970, 636 § 3; amended, 1980, 99 § 2; clauses (3) and (4) revised, 1980, 99 § 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; second sentence revised, 1959, 626 § 2; sentence inserted after second sentence, 1943, 251 § 2; section repealed, 1964, 579 § 4. (See 1943, 251 § 4; 1959, 626 § 6.)

SECT. 8A added, 1959, 626 § 3 (relative to land takings and providing that offers in settlement or pro tanto for such takings shall be made within certain periods of time); second paragraph amended, 1963, 793 § 2; section revised, 1966, 530 § 1. (See 1959, 626 § 6; 1963, 793 § 3.)

SECT. 8B added, 1964, 633 § 1 (providing that certain persons shall not be required to vacate certain property taken by eminent domain until four months after notice of such taking); paragraph added, 1965, 468. (See 1964, 633 § 2.)

SECT. 9, last sentence amended, 1938, 172 § 7.

SECT. 10A added, 1964, 579 § 5 (relative to the method of enforcing compliance with certain proceedings for takings by eminent domain).

SECT. 12, first sentence amended, 1959, 626 § 4; sentence added, 1953, 634 § 1; revised, 1975, 522 § 1; 1977, 832 § 1; 1978, 411 § 1; sentence added, 1968, 759 § 5. (See 1953, 634 § 2; 1975, 522 § 3; 1977, 832 § 2; 1978, 411 § 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; 1978, 514 § 189. (See 1978, 514 § 287.)

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. 9, third sentence revised, 1978, 478 § 36. (See 1978, 478 § 343.)

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); amended, 1979, 30.

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 displaced from real property taken by the department shall be granted relocation payments); revised, 1966, 646 § 1; sentence added, 1967, 162 § 2; 1973, 733. (See 1963, 594 § 2; 1966, 646 § 2.)

SECT. 7K added, 1966, 215 (authorizing a public utility company to enter on certain land taken by eminent domain for the 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; sentence inserted after fifth sentence, 1980, 477.

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; section amended, 1978, 514 § 190. (See 1974, 492 § 24; 1978, 514 § 287.)

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs Thereon.

SECT. 3, first sentence stricken out and two sentences inserted, 1969, 490 § 1; sentence inserted after first sentence, 1967, 218.

SECT. 5, first sentence revised, 1969, 490 § 2.

SECT. 7 amended, 1933, 283 § 2.

SECT. 11A added, 1962, 589 (authorizing agents and employees of county commissioners to enter upon private property for the purpose of making reconnaissances, surveys, soundings, inspections and examinations).

SECT. 24, first sentence revised, 1958, 240.

SECT. 32B added, 1933, 283 § 3 (authorizing the taking of easements of slope, so called, by county, city or town officers in connection with the laying out, widening, altering 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; revised, 1980, 502 § 1.

SECT. 41 added, 1968, 403 § 2 (requiring notice to utility companies before excavating within their defined rights-of-way and easements); repealed, 1980, 502 § 2.

SECT. 42 added, 1970, 208 (requiring notice to public utility companies of certain excavations on private land); repealed, 1980, 502 § 2.

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. 8 revised, 1963, 370 § 3.

SECT. 10 revised, 1964, 736 § 3.

SECT. 15 revised, 1978, 214.

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.

SECTS. 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; first sentence amended, 1979, 163 § 1.

SECT. 19 amended, 1933, 114 § 2; revised, 1965, 378 § 2.

SECT. 20 revised, 1933, 114 § 3; amended, 1939, 147.

SECT. 21 amended, 1955, 505; revised, 1965, 378 § 3.

SECT. 27 added, 1960, 766 § 1 (imposing liability for damages for failure to maintain a barrier around an excavation abutting on a public way).

SECT. 27A added, 1972, 228 (requiring the erection of barriers at excavation sites abutting public ways).

Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.

SECT. 2, second and third sentences amended, 1947, 442 § 2; section revised, 1951, 646 § 1; sentence inserted after second sentence, 1968, 694 § 2; 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); revised, 1979, 671.

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. 7B added, 1979, 119 (prohibiting the piling, pushing or plowing of snow onto a state highway).

SECT. 8 revised, 1960, 88; first sentence revised, 1980, 329 § 73B. (See 1980, 329 § 134.)

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; seventh paragraph, fourth sentence revised, 1978, 478 § 37. (See 1974, 424 § 5; 1978, 478 § 343.)

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. 17A, sentence added, 1978, 21.

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.

SECT. 6, penultimate sentence amended, 1980, 417.

Chapter 87. — Shade Trees.

SECT. 3, first sentence revised, 1978, 114; amended, 1979, 552 § 2.

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; paragraph added, 1978, 350; revised, 1979, 459 § 1; (See 1979, 459 § 2.)

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 motor bus" 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; revised, 1978, 140 § 1; 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; ten definitions added, 1979, 761 § 1. (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; 1979, 761 § 8.)

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. 1D, first sentence amended, 1980, 572 § 32. (See 1980, 572 § 417.)

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; 1978, 386 § 2; fourth sentence revised, 1979, 678; 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; 1980, 450. (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; first sentence amended, 1980, 572 § 33. (See 1980, 572 § 417.)

SECT. 3D, first sentence revised, 1953, 366 § 3; 1956, 75; second sentence amended, 1980, 572 § 34. (See 1980, 572 § 417.)

SECT. 3E, first sentence amended, 1980, 572 § 35. (See 1980, 572 § 417.)

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; second sentence stricken out and four sentences inserted, 1978, 140 § 2; second sentence revised, 1979, 572 § 1; third sentence revised, 1975, 259; last sentence stricken out, 1979, 572 § 2. (See 1947, 401 § 3; 1951, 736 § 5; 1967, 736 § 11.)

SECT. 5A added, 1943, 409 § 2 (relative to the use of a general distinguishing mark or number on all motor vehicles under the control of the military forces); revised, 1948, 304.

SECT. 5B added, 1961, 423 (relative to the registration of certain motor vehicles by residents of the commonwealth who are in the military service of the United States).

SECT. 6, first sentence revised, 1939, 436 § 2; 1965, 700 § 2; second sentence revised, 1968, 293; sentence added, 1971, 207.

SECT. 6A added, 1948, 432 § 3 (providing for special registration plates for antique motor cars).

SECT. 6B added, 1953, 2 § 2 (permitting the issuance of one number plate for each motor vehicle); first sentence revised, 1966, 537. (See 1953, 2 §§ 1, 3.)

SECT. 6C added, 1963, 472 (requiring the repossessor of a motor vehicle to return the number plates issued to the former owner).

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109; stricken out and two sentences inserted, 1965, 627 § 1; two sentences inserted after second sentence, 1959, 618 § 1; third sentence, as so inserted, revised, 1964, 411; third sentence stricken out and two sentences inserted, 1967, 623 § 1; fourth sentence stricken out and two sentences inserted, 1966, 204; sentence added after fourth sentence, 1939, 153; revised, 1972, 112; sixth sentence (as appearing in 1933, 51) revised, 1960, 242; amended, 1966, 81; 1967, 168; revised, 1968, 309; seventh sentence (as so appearing) revised, 1962, 116, 395 § 1; stricken out and two sentences inserted, 1962, 709 § 1; said two sentences stricken out and one sentence inserted, 1963, 409 § 1;ninth sentence revised, 1949, 260; amended, 1951, 235; revised, 1966, 149 § 1; 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 sentences stricken out and one sentence inserted, 1955, 124; twelfth sentence (as appearing in 1933, 51) revised, 1968, 110; sentence inserted after twelfth sentence, 1971, 206; stricken out, 1971, 934; 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 revised, 1978, 439 § 1; paragraph inserted after first paragraph, 1962, 132; paragraph added, 1941, 443; revised, 1964, 187; 1965, 392; 1973, 145; paragraph inserted, 1974, 25; revised, 1978, 439 § 2; 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.

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; 1979, 61 § 1; 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; section revised, 1979, 761 § 2. penultimate sentence amended, 1980, 572 § 36; (See 1974, 766 § 2; 1979, 761 § 8; 1980, 572 § 417.)

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). amended, 1979, 428.

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; 1979, 761 § 3. (See 1970, 635 § 2; 1971, 687 § 2; 1979, 761 § 8.)

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).

SECTS. 7S-7U added, 1979, 579 § 1 (regulating motorcycle sound emission levels). (See 1979, 579 § 2.)

SECTS. 7V-7Z added, 1979, 761 § 4.(See 1979, 761 § 8.) (See 1979, 761 § 8.)

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; 1956, 388 § 1; 1957, 351; paragraph added, 1950, 655; fifth paragraph, two sentences added, 1980, 110. (See 1948, 399 § 3, 619 §§ 2, 3; 1955, 488 § 3; 1966, 358 § 3; 1967, 295 § 2.)

SECT. 8A added, 1962, 515 § 2 (regulating the licensing of operators of school buses); first paragraph revised, 1966, 144 § 3; amended, 1970, 100; revised, 1973, 925 § 13; amended, 1978, 535 § 1; amended, 1979, 188; paragraph inserted after first paragraph, 1975, 878 § 4; two sentences added, 1978, 535 § 2; two paragraphs inserted after second paragraph, 1976, 552 § 5; third paragraph, sentence added, 1977, 368; fourth paragraph, second and third sentences revised, 1980, 572 § 37; fifth paragraph revised, 1978, 535 § 3; sixth paragraph revised, 1978, 535 § 4; seventh paragraph revised, 1978, 535 § 5. (See 1973, 925 § 84; 1975, 878 § 6; 1980, 572 § 417.)

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.)

SECTS. 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. 8E, third sentence amended, 1980, 572 § 38. (See 1980, 572 § 417.)

SECT. 8F repealed, 1980, 329 § 57; amended, 1980, 572 § 39. (See 1980, 329 § 134; 1980, 572 § 417.)

SECT. 8G amended, 1980, 329 § 59; first sentence amended, 1980, 572 § 40. (See 1980, 329 § 134; 1980, 572 § 417.)

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 licensed 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; 1978, 264; two sentences inserted after second sentence, 1950, 763; revised, 1979, 232; sentence added, 1949, 707; revised, 1950, 305; sentence added, 1967, 93, 192; revised, 1978, 94; sentence added, 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 sentence revised, 1979, 61 § 2; 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 vehicles to turn off motors after a certain time period).

SECT. 17, sentence added, 1932, 271 § 4; section amended, 1947, 406; revised, 1948, 564 § 1; second sentence revised, 1963, 716; amended, 1964, 185; revised, 1965, 474; last sentence revised, 1964, 176; sentence added, 1972, 463; stricken out, 1974, 49; sentence added, 1974, 851 § 7; section revised, 1975, 173 § 1; first sentence revised, 1975, 329 § 1; fifth sentence stricken out, 1975, 494 § 7; last sentence revised, 1978, 171. (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 noncriminal disposition of violations thereof); first two sentences revised, 1963, 298; second paragraph amended, 1964, 128; fifth sentence revised, 1978, 478 § 38. (See 1962, 409 § 2; 1978, 478 § 343.)

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; first paragraph, sixth and seventh sentence revised, 1980, 572 § 41. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2; 1977, 781 § 2; 1980, 572 § 417.) 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; section revised, 1979, 706. (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; paragraph inserted after first paragraph, 1979, 761 § 5. (See 1975, 494 § 15; 1977, 427 § 2; 1979, 761 § 8.)

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; 1978, 478 § 39; 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; 1978, 478 § 343.)

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 noncriminal 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; fourth sentence revised, 1978, 478 § 40; eighth paragraph amended, 1963, 451 § 2. (See 1978, 478 § 343.)

SECT. 20E added, 1973, 1108 (further regulating the responsibilities of certain motor vehicle lessors for certain parking regulations); revised, 1978, 571.

SECT. 20F added, 1978, 478 § 41 (providing for non-criminal disposition of certain motor vehicle offenses). (See 1978, 478 § 343.)

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; paragraph added, 1979, 173. (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 soley 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. 22G added, 1978, 362 (authorizing and directing the registrar of motor vehicles to suspend licenses for littering).

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; revised, 1980, 383 § 1; paragraph (*f*) amended, 1972, 488 § 2; first and second sentences revised, 1980, 383 § 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; fourth, fifth, sixth, seventh and eighth sentences stricken out, six sentences inserted, 1980, 572 § 42. (See 1980, 572 § 417.)

SECT. 32H added, 1963, 802 (requiring lessors of motorcycles to be licensed by the registrar of motor vehicles); first paragraph, fifth, sixth and seventh sentences revised, 1980, 572 § 43. (See 1980, 572 § 417.)

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; amended, 1979, 116; stricken out, 1980, 329 § 56; 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; tenth paragraph revised, 1980, 329 § 58; 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; revised, 1980, 394; paragraph added, 1974, 851 § 11; revised, 1975, 494 § 13. twenty-fourth and twenty-fifth paragraphs stricken out and one paragraph inserted, 1980, 329 § 60; section revised, 1980, 572 § 44. (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; 1980, 329 § 134; 1980, 572 § 417.)

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, amended, 1933, 197 § 3; first paragraph amended, 1934, 364 § 1; section revised, 1943, 427 § 2; amended, 1962, 603 § 1; 1979, 653. (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; 1979, 611 § 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; 1979, 611 § 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; 1979, 611 § 3.)

SECT. 34B, second paragraph revised, 1933, 83 § 1; 1935, 302; fourth paragraph revised, 1933, 83 § 2; fifth paragraph revised, 1949, 571 § 2. (See 1933, 83 § 3.)

SECT. 34C amended, 1932, 180 § 13; 1949, 571 § 3.

SECT. 34D revised, 1935, 459 § 3; 1949, 571 § 4; first sentence amended, 1959, 282 § 4; 1961, 177 § 4; revised, 1963, 358 § 3; amended, 1964, 517 § 3; 1970, 670 § 3; last sentence revised, 1950, 162 § 3; 1954, 126 § 3. (See 1935, 459 § 5; 1964, 517 § 4; 1970, 670 § 10.)

SECT. 34E revised, 1949, 571 § 5.

SECT. 34F revised, 1949, 571 § 6.

SECT. 34H, first paragraph amended, 1933, 119 § 4; revised, 1971, 939 § 1; second paragraph amended, 1948, 39; second paragraph stricken out and two paragraphs inserted, 1960, 332; paragraph inserted after third paragraph, 1933, 119 § 5. (See 1933, 119 § 6; 1971, 939 § 7.)

SECT. 34I revised, 1949, 571 § 7.

SECT. 34J, sentence added, 1959, 282 § 5.

SECT. 34K added, 1960, 360 (relative to the cancellation of compulsory motor vehicle liability insurance); first sentence revised, 1971, 939 § 2. (See 1971, 939 § 7.)

SECT. 34L added, 1966, 260 (requiring that protection on account of injuries to the insured caused by operators of uninsured motor vehicles shall be included in compulsory motor vehicle liability insurance policies); repealed, 1968, 643 § 6.

SECTS. 34M-34N added, 1970, 670 § 4 (providing for personal injury protection under motor vehicle liability insurance and bonds and for an assigned claims plan). (See 1970, 670 § 10.)

SECT. 34M, fourth paragraph, first sentence revised, 1972, 313; two sentences added, 1972, 319; fifth paragraph amended, 1980, 260. 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; paragraph (*a*), last sentence amended, 1980, 572 § 45; paragraphs (*b*) and (*c*) revised, 1965, 670 § 3; paragraph (*b*) revised, 1980, 572 § 46; paragraph (*e*) amended, 1965, 670 § 4. (See 1980, 572 § 417.)

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.

SECTS. 5 AND 6 repealed, 1960, 390.

SECT. 7, first sentence amended, 1956, 646; section repealed, 1960, 390.

SECT. 7A added, 1955, 417 (relative to the assessment of points under highway safety act and merit rating system); repealed, 1960, 390.

SECT. 8 repealed, 1960, 390.

SECT. 8A added, 1956, 178 (providing that no points shall be charged against an owner or licensed operator before final disposition of an appeal in court); repealed, 1960, 390.

SECTS. 9 AND 10 repealed, 1960, 390.

SECT. 11 repealed, 1956, 201 § 1. (See 1956, 201 § 2.)

SECTS. 12-15, 17 repealed, 1956, 51 § 1.

SECT. 16 amended, 1956, 51 § 2; repealed, 1960, 390.

Chapter 90B. — Motorboats and Other Vessels.

New chapter inserted, 1960, 275 § 2.

SECT. 1, definitions of "Director" and "Division" revised, 1971, 103 § 3; definition of "motorboat" revised, 1961, 140 § 1; 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; 1980, 572 § 47; sentence inserted after sixth sentence, 1969, 304; paragraph (*j*) revised, 1973, 142 § 2. (See 1980, 572 § 417.)

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; subsection (*e*) added, 1979, 551 § 1.

SECT. 11, first paragraph amended, 1973, 804; second, third, fourth and fifth sentences revised, 1978, 581 § 6; second paragraph, clauses (*d*) and (*e*) revised, 1961, 320; clause (*m*) revised, 1979, 551 § 2. (See 1978, 581 § 8.)

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' flags 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; 1979, 551 § 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; definition of "Recreational vehicle" revised, 1979, 551 § 4. (See 1975, 706 § 312.)

SECT. 22, second paragraph, first sentence revised, 1975, 702 § 1; sentence added, 1976, 17; third paragraph revised, 1975, 702 § 2; amended, 1980, 572 § 48; sixth paragraph, first sentence revised, 1975, 702 § 3; two sentences added, 1973, 808; last sentence revised, 1976, 16; last paragraph revised, 1980, 572 § 49. (See 1980, 572 § 417.)

SECT. 23, second paragraph revised, 1975, 702 § 4; amended, 1980, 572 § 50. (See 1980, 572 § 417.)

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; paragraph added, 1979, 551 § 5.

SECT. 26, fourth paragraph amended, 1971, 264; seventh paragraph amended, 1970, 732 § 1.

SECT. 30 amended, 1980, 572 § 51. (See 1980, 572 § 417.)

SECT. 32, first sentence amended, 1975, 706 § 122; second sentence amended, 1979, 551 § 6. (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 § 2. (See 1965, 692 § 7.)

SECT. 2 revised, 1963, 637 § 2; first two paragraphs revised, 1963, 818; third paragraph amended, 1965, 501; section revised, 1965, 692 § 3; second paragraph, first sentence revised, 1968, 725 § 1; third paragraph, first sentence revised, 1968, 725 § 2; fourth paragraph, second sentence revised, 1968, 725 § 3; fourth sentence revised, 1966, 64. (See 1965, 692 § 7.)

SECT. 4, first sentence revised, 1964, 540; section revised, 1965, 692 § 4; 1980, 447. (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; first paragraph, first sentence amended, 1980, 31; first paragraph, third sentence revised, 1978, 478 § 42; second paragraph, first sentence revised, 1978, 478 § 43; fourth paragraph amended, 1974, 424 § 4; revised, 1978, 478 § 44. (See 1964, 626 § 2; 1974, 424 § 5; 1978, 478 § 343.)

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; first sentence revised, 1978, 176 § 1.

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; first sentence revised, 1980, 572 § 52; second paragraph stricken out, 1975, 392 § 12. (See 1980, 572 § 417.)

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 (*d*) revised, 1978, 176 § 2; 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; 1978, 119 § 5. (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. 50, second sentence amended, 1980, 572 § 53. (See 1980, 572 § 417.)

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); last sentence revised, 1980, 572 § 54. (See 1970, 693 § 3; 1980, 572 § 417.)

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); second paragraph, first sentence revised, 1980, 572 § 55. (See 1980, 572 § 417.)

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; revised, 1980, 472.

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; second paragraph amended, 1978, 514 § 191; 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; 1978, 514 § 287.)

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; 1980, 106.

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; section revised, 1978, 421.

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. 1-14 revised, 1978, 459 § 1.

SECT. 9B added, 1980, 531 § 1 (establishing civil and criminal remedies for certain fraudulent acts affecting the commonwealth and commercial bribery).

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. 14A added, 1978, 459 § 1 (providing the Massachusetts Antitrust Act shall have no effect on the provisions of chapter 93A).

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. 14N, last paragraph revised, 1980, 572 § 56. (See 1980, 572 § 417.)

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; sixth sentence revised, 1980, 572 § 57. (See 1980, 572 § 417.)

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.

SECTS. 21E-21G added, 1977, 826 § 13 (further regulating private trade schools).

SECT. 21E, third paragraph, second sentence revised, 1980, 572 § 58. (See 1980, 572 § 417.)

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; revised, 1980, 572 § 59; two sentences added, 1975, 187 § 1; last sentence amended, 1980, 572 § 60. (See 1980, 572 § 417.)

SECTS. 24B AND 24C added, 1962, 670 § 3 (further regulating collection agencies).

SECT. 24B revised, 1971, 314; last sentence stricken out, two sentences added, 1980, 572 § 61. (See 1980, 572 § 417.)

SECT. 24C, second sentence revised, 1969, 789 § 2; 1978, 346 § 1; section revised, 1973, 1149 § 1; second sentence revised, 1980, 572 § 62. (See 1973, 1149 § 33; 1980, 572 § 417.)

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 SIMILAR TYPES OF SALES", 1938, 165.

SECT. 28A revised, 1939, 207; 1948, 550 § 8; 1950, 473; 1953, 164 § 1; amended, 1955, 217; revised, 1961, 324.

SECT. 28B stricken out, 1953, 164 § 2.

SECT. 28D amended, 1958, 178 § 1.

SECT. 28E added, 1950, 511 (granting to the superior court jurisdiction in equity to restrain certain violations of the law regulating closing out sales); amended, 1958, 178 § 2.

SECT. 28F added, 1958, 178 § 3 (regulating fire sales, so called, and similar types of sales); revised, 1968, 78.

SECT. 29, heading and section amended, 1946, 612 § 3; section revised, 1955, 584 § 4; fourth sentence amended, 1958, 143. (See 1946, 612 §§ 5, 6; 1955, 584 §§ 9, 10.)

SECT. 29A added, 1955, 584 § 5 (relative to notice and hearings on objections to applications for certain permits, and on appeals from decisions of the director of the board of outdoor advertising). (See 1955, 584 §§ 8-10.)

SECT. 30 revised, 1945, 233.

SECT. 30A revised, 1946, 612 § 4; 1955, 584 § 6. (See 1955, 584 §§ 8-10.)

SECT. 31 revised, 1955, 584 § 7. (See 1955, 584 §§ 9, 10.)

SECT. 32 revised, 1964, 466.

SECT. 34, sentence added, 1959, 202 § 2; paragraph added, 1974, 10. For temporary act to enable savings banks and certain other banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

SECT. 42 added, 1967, 817 § 3 (providing that unlawful taking of trade secrets shall constitute larceny).

SECT. 42A added, 1969, 457 (providing injunctive relief for the misappropriation of trade secrets).

SECT. 43 added, 1969, 275 (clarifying the responsibility of the receiver to the sender of unsolicited goods by mail).

SECTS. 44-47 added, under caption, 1969, 442 (regulating the trade practices of credit bureaus and their subscribers); repealed, 1971, 805 § 2.

SECT. 46A added, 1970, 794 (making credit bureaus liable for gross negligence in furnishing certain information to certain persons); repealed, 1971, 805 § 2.

SECT. 48 added, 1970, 272 (providing a right of cancellation of certain contracts); subsection **B**, second paragraph revised, 1970, 660; 1979, 252 § 1; paragraph added, 1979, 252 § 2; subsection revised, 1975, 90 § 1; subsection D revised, 1975, 90 § 2; subsections 6, H and I added, 1975, 90 § 3.

SECT. 49 added, 1970, 883 § 1 (prohibiting certain collection practices); first paragraph revised, 1975, 155; subparagraph (*a*) revised, 1980, 172.

SECT. 49A added, 1979, 608 (requiring retail trade reporting agencies which have disclosed certain information concerning certain retail trade business to provide said businesses upon their request the information so disclosed).

SECTS. 50-68 added, 1971, 805 § 1 (regulating the consumer credit reporting law).

SECT. 50, definition of "User" added, 1980, 118 § 1.

SECT. 56, paragraph (1) revised, 1980, 118 § 2.

SECT. 57, subsection (*b*) amended, 1980, 118 § 3; subsection (*f*) added, 1980, 118 § 4.

SECT. 59 revised, 1980, 118 § 5.

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); revised, 1979, 531; 1980, 448.

SECTS. 71-75 added, 1977, 978 § 1, under the caption REGULATION OF THE SALE OF HEARING AIDS.

SECT. 71, definition of "hearing test evaluation" revised, 1978, 353 § 1.

SECT. 72, first paragraph, first sentence revised, 1978, 353 § 2.

SECT. 73, first paragraph revised, 1978, 353 § 3.

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. 2, paragraph (*b*) amended, 1978, 459 § 2.

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; first paragraph, sentence inserted after first sentence, 1980, 119.

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; 1978, 478 § 45; revised, 1979, 72 § 1; 406 § 1; paragraph (3), last sentence revised, 1979, 406 § 2; paragraph (3a) inserted, 1978, 478 § 46; paragraph (5) added, 1970, 736 § 2; paragraphs (6)-(8) added, 1973, 939. (See 1978, 478 § 343; 1979, 72 § 4.)

SECT. 10 amended, 1972, 614 § 1.

SECT. 11 added, 1972, 614 § 2 (further regulating unfair trade practices); first paragraph amended, 1978, 478 § 47; revised, 1979, 72 § 2; paragraph inserted after third paragraph, 1978, 478 § 48; sixth paragraph revised, 1978, 459 § 3. (See 1978, 478 § 343; 1979, 72 § 4.)

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. 6 revised, 1979, 261.

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; Repealed, 1978, 480 § 7.

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; revised, 1978, 307.
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 93F. — Regulating Certain Business Practices Between Motion Picture Distributors and Exhibitors

New Chapter inserted, 1979, 630 § 1.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

SECT. 1, paragraph in lines 128-132 (defining "pasteurized milk") revised, 1932, 158; section amended in part, 1933, 67 §§ 1-5; paragraph

(defining "half and half") added, 1955, 757 § 1; paragraph (defining "milk plant" and "manufactory") added, 1933, 338 § 1; paragraph in lines 30-36 (defining "butter" and "cheese") stricken out and new paragraph defining "butter" inserted, 1937, 335 § 1; paragraph in line 40 reading "cheese", see "butter", stricken out and four new paragraphs inserted, 1937, 335 § 2 (defining "cheese" and "cream cheese"); definition of "Commissioner" inserted, 1971, 795 § 1; third paragraph (as so appearing) amended, 1961, 301 § 1; paragraph in lines 41-45 ("Closed package") stricken out, 1959, 528 § 1; paragraph (defining "bakery") amended, 1937, 362 § 1; definitions of "cosmetic" and "device" inserted, 1961, 600 § 1; definition of "Director" revised, 1971, 795 § 1; definition of "label" revised, 1961, 600 § 1; amended, 1973, 607 § 3; definition of "labeling" inserted, 1961, 600 § 1; definition of "oleomargarine" revised, 1967, 216 § 1; definition of "sausage" or "sausage meat" revised, 1962, 243; amended, 1973, 180; paragraphs in line 148-164 (defining "agricultural seeds" or "agricultural seed", "noxious weed seeds" and "weed seeds") revised and definition of "vegetable seeds" added, 1938, 363 § 1; 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.

SECTS. 9A-9M added, 1937, 362 § 3 (changing the position in the General Laws of certain provisions of law relative to bakeries). (For prior legislation, see G.L. chap. 111 §§ 34-43, 46-49, repealed by 1937, 362 § 6.) (See 1937, 362 §§ 6, 7.)

SECT. 10 amended, 1937, 362 § 4. (See 1937, 362 § 7.)

SECTS. 10A-10E stricken out, and new sections 10A-10G (regulating the manufacture, bottling and sale of certain non-alcoholic beverages) inserted, 1935, 441.

SECT. 10B, fourth sentence amended, 1980, 572 § 63. (See 1980, 572 § 417.)

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; fifth sentence amended, 1980, 572 § 64. (See 1980, 572 § 417.)

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; fourth sentence amended, 1980, 572 § 65. (See 1975, 706 § 312; 1980, 572 § 417.)

SECT. 16L revised, 1967, 136.
SECTS. 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 diary farms to be licensed as qualified to measure, sample and accept milk for inclusion in a bulk tank truck).
SECT. 28, second sentence amended, 1980, 572 § 66; fourth sentence amended, 1980, 572 § 67; (See 1980, 572 § 417.)
SECT. 28A added, 1961, 561 § 2; sentence inserted after first sentence, 1966, 128. fourth sentence amended, 1980, 572 § 68; penultimate sentence amended, 1980, 572 § 69. (See 1980, 572 § 417.)
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. 33, third sentence revised, 1978, 393 § 32. (See 1978, 393 § 45.)
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. second paragraph, last sentence amended, 1980, 572 § 70. (See 1961, 94 § 2; 1980, 572 § 417.)
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. 65S revised, 1980, 572 § 71. (See 1980, 572 § 417.)

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. 66, third sentence amended, 1980, 572 § 72. (See 1980, 572 § 417.)

SECT. 66A added, 1945, 109 (making certain laws relative to cold storage warehouses inapplicable to locker plants, so called). third sentence amended, 1980, 572 § 72. (See 1980, 572 § 417.)

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; last sentence amended, 1980, 572 § 73. (See 1980, 572 § 417.)

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; first sentence amended, 1980, 572 § 74; definitions of "poultry sold or used for food" and "producer" inserted, 1955, 515 § 1. (See 1975, 706 § 312; 1980, 572 § 417.)

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.)

SECT. 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 "chiropodist (podiatrist)" inserted, 1965, 229 § 6; revised, 1970, 443 § 9; definition of "Pharmacist," or "druggist" revised, 1961, 345 § 1; definition of "Nurse" revised, 1960, 660; 1961, 245; definition of "Narcotic Drug" amended, 1966, 71 § 1; 1969, 222 § 1; definitions of "amidone", "isoamidone" and "Ketobemidone" revised, 1963, 79; definitions of "LSD", "Psilocybin",

and "D.M.T." inserted, 1966, 71 § 2; definition of "THC" inserted, 1969, 222 § 2.

SECT. 199A, first paragraph amended, 1965, 229 § 7; 1970, 443 § 10; third paragraph amended, 1965, 229 § 8; 1970, 443 § 11.

SECT. 199E, first paragraph revised, 1961, 345 § 2; second paragraph revised, 1968, 287; last paragraph stricken out, 1961, 345 § 3.

SECT. 199F inserted, 1959, 210 (penalizing the use of certain narcotic preparations except in 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. 249E ½ 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; 1980, 572 § 75. (See 1980, 572 § 417.)

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; first paragraph amended, 1980, 572 § 76; third paragraph stricken out, 1969, 622; fourth paragraph amended, 1978, 514 § 192. (See 1972, 684 § 136; 1978, 514 § 287; 1980, 572 § 417.)

SECT. 295C, second paragraph revised, 1978, 300.

SECT. 295E, paragraph added, 1971, 134; revised, 1978, 213.

SECT. 295F amended, 1955, 183; revised, 1960, 234 § 2. (See 1960, 234 § 4.)

SECT. 295G revised, 1941, 311; paragraph added, 1950, 496; section revised, 1960, 234 § 3. (See 1960, 234 § 4.)

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); repealed, 1979, 796 § 12. (See 1973, 955 § 3; 1979, 796 § 35.)

SECT. 298 amended, 1934, 109 § 1.

SECT. 299 amended, 1934, 109 § 2.

SECTS. 298-299 revised, 1979, 253.

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; third sentence amended, 1980, 572 § 77. (See 1980, 572 § 417.)

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; section revised, 1978, 444.

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, second sentence amended, 1980, 572 § 78;third sentence revised, 1968, 47 § 1. (See 1968, 47 § 2; 1980, 572 § 417..)

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); revised, 1978, 503.

SECT. 307 added, 1958, 610 (prohibiting the sale of tabacco 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).

SECT. 309, fourth paragraph revised, 1980, 572 § 79. (See 1980, 572 § 417.)

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.)

SECT. 320 added, 1980, 528 § 1 (establishing a procedure for the transfer of rights and title to dies, molds or forms).

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. 5, third and fourth sentences revised, 1978, 14.

SECT. 9, paragraph (*a*) and (*b*) revised, 1955, 757 § 10; paragraph (*a*) amended, 1980, 572 § 80. (See 1980, 572 § 417.)

SECT. 12 revised, 1950, 756; amended, 1953, 604 § 4.

SECT. 12A added, 1943, 445 (defining the powers and duties of the milk control board in case of a failure to pay the official minimum price for the sale or delivery of milk); amended, 1953, 604 § 3.

SECT. 13, subsections (*e*) and (*f*) added at end, 1945, 134 (relative to the furnishing to the milk control board of certain information by licensed milk dealers); first paragraph of subsection (*e*) revised, 1946, 312; section amended, 1953, 604 § 3. (See 1945, 409.)

SECTS. 14-21 amended, 1953, 604 § 3.

SECT. 14, subsection (*d*) 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.

SECTS. 11-22 repealed, 1978, 3 § 2.

Chapter 94C. — Controlled Substances Act.

New chapter inserted, 1971, 1071 § 1.

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* ½) inserted, 1972, 806 § 7.

SECT. 3 amended, 1972, 806 § 8.

SECT. 4, third paragraph revised, 1972, 806 § 9.

SECT. 7, paragraph (*a*) amended, 1972, 684 § 13; 1973, 1190 § 7; revised, 1973, 1220; 1980, 572 § 81; paragraph (*b*) amended, 1972, 684 § 14; 1980, 572 § 82; paragraph (*d*) amended, 1973, 1190 § 8; 1974, 770;

paragraph (*f*) amended, 1972, 684 § 15; paragraph (*g*) added, 1973, 1190 § 9. (See 1972, 684 § 136; 1980, 572 § 417.)

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; first paragraph, third sentence amended, 1980, 572 § 83; second paragraph, second sentence amended, 1980, 572 § 84. (See 1980, 572 § 417.)

SECT. 30, paragraph (*b*) amended, 1972, 806 § 21.

SECT. 31,Class A, paragraph (*c*) added, 1980, 436 § 1; first paragraph, Class B, subsection (*b*), clause (22)added, 1980, 241 § 1. paragraph (*d*) amended, 1973, 459 § 1; Class C, subsection (*a*), clause (6) stricken out, 1980, 241 § 2; paragraph (*a*), clauses 1-9 stricken out and clauses 1-7 inserted, 1980, 436 § 2. paragraph (*c*) amended, 1972, 806 § 22; paragraph (*e*) clause (17) added, 1977, 824; clauses (18) and (19) added, 1980, 436 § 3; Class D, paragraph (*b*), clauses (2), (3) and (4) added 1979, 379.

SECT. 32 revised, 1980, 436 § 4.

SECTS. 32A-32H added, 1980, 436 § 4.

SECT. 33, paragraph (*b*) revised, 1974, 102.

SECT. 34, first paragraph amended, 1974, 440; second paragraph revised, 1972, 806 § 23; amended, 1974, 207; third paragraph amended, 1972, 806 § 24; 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. 46 repealed, 1978, 508 § 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; 1980, 572 § 85. (See 1980, 572 § 417.)

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 necessaries of life to inspect annually all weighing and measuring devices in towns of five thousand or less inhabitants); sentence added, 1968, 71.

SECT. 34 amended, 1955, 190. (See 1965, 405.)

SECT. 35, first sentence revised, 1965, 406 § 2.

SECT. 36, first sentence revised, 1968, 37.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462; first sentence revised, 1969, 704 § 46. (See 1969, 704 § 60.)

SECT. 42 amended, 1955, 185; revised, 1960, 447 § 1; 1978, 235.

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 ½*) 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); paragraph added, 1980, 228.

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; section revised, 1980, 329 § 73C. (See 1980, 329 § 134.)

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; 1980, 572 § 86. (See 1948, 493 § 5; 1972, 684 § 136; 1980, 572 § 417.)

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); second sentence amended, 1980, 572 § 87. (See 1980, 572 § 417.)

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; third, fourth and fifth sentences revised, 1980, 572 § 88. (See 1948, 493 § 5; 1980, 572 § 417.)

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; 1978, 222 § 1; 1980, 162 § 1. (See 1973, 229 § 2; 1976, 19 § 2; 1978, 222 § 2.)

Chapter 104. — Agents, Consignees and Factors.

SECT. 4, sentence added, 1957, 765 § 4. (See 1957, 765 § 21.)

Chapter 104A. — Consignment of Fine Art.

New chapter inserted, 1978, 286.

Chapter 105. — Public Warehouses.

SECT. 1 amended, 1935, 310 § 1; first paragraph, first sentence amended, 1972, 684 § 17; revised, 1977, 961 § 1; amended, 1980, 572 § 89; fifth sentence revised, 1977, 961 § 2; paragraph added, 1957, 765 § 5. (See 1957, 765 § 21; 1972, 684 § 136; 1980, 572 § 417.)

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 — 105, subsection (2) revised, 1979, 512 § 1. (See 1979, 512 § 16.)

SECT. 1 — 201, subsection (4) revised, 1963, 188 § 24; subsection (9) revised, 1979, 512 § 2; subsection (27) amended, 188 § 1; subsection (30) revised, 1958, 542 § 1; subsection (33) revised, 1958, 542 § 2; subsection (37) revised, 1979, 512 § 3. (See 1979, 512 § 16.)

SECT. 1 — 209 added, 1979, 512 § 5 (relative to subordinated obligations). (See 1979, 512 § 16.)

SECT. 2 — 107, subsections (1) and (2) revised, 1979, 512 § 4. (See 1979, 512 § 16.)

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 — 416, subsection (7) added, 1979, 310; subsection (7) stricken out, 1979, 575 § 1. (See 1979, 575 § 3.)

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. 5 — 116, subsection (2) revised, 1979, 512 § 6. (See 1979, 512 § 16.)

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 — 104, clause (*e*) revised, 1980, 261 § 23.
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 revised, 1980, 261 § 24; 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.
ARTICLE 9 revised, 1979, 512 § 7. (See 1979, 512 § 16.)

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. 8 amended, 1978, 514 § 193. (See 1978, 514 § 287.)

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.)

SECT. 32 added, 1979, 313 (relative to foreign limited partnerships).

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; 1978, 514 § 194; sentence added, 1956, 350. (See 1946, 169 § 3; 1978, 514 § 287.)

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 anulling 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. 304, clause (b) amended, 1980, 572 § 90; clause (i), last sentence amended, 1980, 572 § 91. (See 1980, 572 § 417.)

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.)

SECT. 407A added, 1980, 362 (further regulating the sale of certain securities.)

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;

definition of "Nuclear reactor" added, 1979, 796 § 13. (See 1979, 796 § 35.)

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; section revised, 1980, 474.

SECT. 5C added, 1956, 595 (to regulate certain uses of fluoroscopic shoefitting 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; second and third sentences revised, 1980, 572 § 92; fourth paragraph amended, 1975, 706 § 165. (See 1974, 806 § 41; 1975, 706 § 312; 1980, 572 § 417.)

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 deliver 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. 5H added, 1979, 796 § 14 (relative to rules and regulations pertaining to nuclear reactors); stricken out and section 5K inserted, 1980, 261 § 24A. (See 1979, 796 § 35.)

SECT. 5I added, 1968, 560 (authorizing the regulation of the use of laser equipment).

SECT. 5J added, 1979, 529 (requiring certain precautions before administering radiation treatment);

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. 24C added, 1979, 268 § 11 (relative to providing medical assistance, counseling and financial support to pregnant women).

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 "Health maintenance organization added", 1980, 541 § 1; definition of "Substantial capital expenditure" revised, 1977, 945 § 2;

revised, 1980, 541 § 2; definition of "Substantial change in services" revised, 1980, 541 § 3. (See 1975, 881 § 4; 1980, 541 § 11.)

SECT. 25C, first paragraph revised, 1977, 945 § 3; 1980, 541 § 4; two paragraphs inserted after first paragraph, 1980, 541 § 6; second paragraph amended, 1980, 541 § 5; fourth paragraph amended, 1973, 1168 § 20; fifth paragraph stricken out and two paragraphs inserted, 1977, 945 § 4; fifth paragraph, last sentence revised, 1980, 541 § 7; paragraph added, 1973, 1168 § 21. (See 1973, 1168 § 40; 1977, 945 § 7; 1980, 541 § 11.)

SECT. 25C ½ added, 1980, 541 § 8 (relative to the determination of need for certain medical facilities). (See 1980, 541 § 11.)

SECT. 25F amended, 1977, 945 § 5.

SECT. 25G, sentence inserted after first sentence, 1980, 541 § 9. (See 1980, 541 § 11.)

SECT. 25H added, 1977, 339 (providing for return and redistribution of certain unused medication); stricken out and section 25I inserted, 1980, 261 § 25.

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 atmosphericpollution 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; section revised, 1979, 131. (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; second paragraph amended, 1980, 541 § 10; third paragraph revised, 1977, 868 § 1; last paragraph revised, 1980, 572 § 93. (See 1980, 541 § 11; 1980, 572 § 417.)

SECT. 51A added, 1973, 1186 § 2 (authorizing the department of public health to regulate and license certain out-of-hospital dialysis units). last sentence amended, 1980, 572 § 94. (See 1980, 572 § 417.)

SECT. 51B added, 1978, 202.

SECT. 52 revised, 1967, 891 § 2; paragraph added, 1973, 1186 § 3; definition of "Clinic" revised, 1979, 674 § 1; definition of "Practitioner" added, 1979, 674 § 2.

SECT. 53 amended, 1943, 16 § 2; revised, 1967, 891 § 3; amended, 1973, 1186 § 4; last sentence revised, 1979, 674 § 3.

SECT. 53A added, 1977, 359.

SECT. 53B added, 1980, 374 § 1 (requiring the filing of certain reports).

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; paragraph added, 1979, 674 § 4.

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 proceding section 58, stricken out, and new sections 58-62 inserted, under new caption, 1950, 205.

SECT. 58 revised, 1959, 457; 1962, 719 § 1. (See 1962, 719 §§ 2-4.)

SECT. 59, sentence added, 1959, 497; section revised, 1962, 719 § 1; amended, 1972, 802 § 7. (See 1962, 719 §§ 2-4; 1972, 802 § 77.)

SECTS. 60-62 revised, 1962, 719 § 1.

SECT. 61, paragraph added, 1967, 15.

SECTS. 58-62 repealed, 1972, 785 § 4. (See 1972, 785 § 20.)

SECTS. 62I-62S added, under caption, 1954, 508 § 1 (establishing the Massachusetts hospital school and hospital for state minor wards). (See 1954, 508 §§ 3-5.)

SECT. 62J revised, 1969, 619; 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; first sentence revised, 1978, 133 § 1. (See 1978, 133 § 3.)

SECT. 70B revised, 1978, 133 § 2. (See 1978, 133 § 3.)

SECT. 70E added, 1979, 214 (providing certain rights to patients and residents in hospitals, clinics and certain other facilities); amended, 1979, 720.

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; section revised, 1979, 571 § 1; third paragraph stricken out, 1979, 773 § 1; fifth paragraph stricken out, 1980, 261 § 26; twelfth paragraph amended, 1980, 572 § 95; sixteenth paragraph revised, 1979, 773 § 2; seventeenth paragraph revised, 1980, 261 § 27. (See 1964, 620 § 1; 1973, 1168 § 40, 1210 § 39; 1980, 572 § 417.)

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; first and second paragraph revised, 1979, 571 § 2. (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.)

SECTS. 72F-72L added, 1980, 479 § 1 (relative to abuse of patients or residents in long-term care facilities).

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; first paragraph revised, 1979, 571 § 3.

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; second sentence revised, 1978, 143. (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 § 1 (relative to charges for the support of patients in county tuberculosis hospitals); revised, 1946, 310 § 3; repealed, 1951, 562 § 9. (See 1943, 500 § 3; 1951, 562 § 11.)

SECT. 88B added, 1952, 270 § 9 (providing for admission of persons afflicted with pulmonary tuberculosis to certain hospitals in cases of emergency); repealed, 1961, 608 § 1. (See 1952, 270 § 10; 1961, 608 §§ 12-14.)

SECT. 89 repealed, 1961, 608 § 1. (See 1961, 608 §§ 12-14.)

SECT. 90 repealed, 1961, 608 § 1. (See 1961, 608 § 12-14.)

SECT. 91 amended, 1954, 538 § 5; paragraph added, 1955, 559 § 1.

SECTS. 91A AND 91B added, 1954, 538 § 6 (relative to the conversion of certain tuberculosis hospitals or facilities into homes for the care and treatment of aging persons).

SECT. 91A repealed, 1961, 608 § 1. (See 1961, 608 §§ 12-14.)

SECT. 91B repealed, 1961, 608 § 1. (See 1961, 608 §§ 12-14.)

SECT. 91C added, 1959, 462 (enabling the use of certain facilities for the care of diseases of the chest.)

SECT. 92 revised, 1955, 559 § 2; 1961, 608 § 9.

SECTS. 94A-94H added, 1956, 615 § 1 (relative to hospitalization of certain tuberculosis patients and to the establishment of a state sanatorium treatment center for such patients). (See 1956, 615 § 2.)

SECT. 94A amended, 1964, 419 § 1.

SECT. 94B amended, 1964, 419 § 2.

SECT. 94C amended, 1964, 419 § 3.

SECT. 94D revised, 1964, 419 § 4.

SECT. 94E revised, 1961, 608 § 10; amended, 1964, 419 § 5; 1974, 260 § 9. (See 1961, 608 §§ 12-14.)

SECT. 94F amended, 1964, 419 § 6.

SECT. 96 revised, 1938, 265 § 8.

SECT. 96A added, 1938, 265 § 9 (regulating the transportation to another town of a person infected with a disease dangerous to public health).

SECT. 97 revised, 1938, 265 § 10.

SECT. 104 revised, 1938, 265 § 11.

SECT. 107 revised, 1938, 265 § 12.

SECT. 109 revised, 1938, 265 § 13.

SECT. 109A added, 1936, 115 (relative to the treatment of infants' eyes at time of birth); amended, 1943, 46; 1968, 358 § 4. (See 1968, 358 § 5.)

SECT. 110, second sentence amended, 1932, 180 § 17.

SECT. 110A added, 1963, 545 (requiring a phenylketonuria test of certain newborn children); first paragraph revised, 1978, 108; amended, 1980, 455 § 1. (See 1980, 455 § 2.)

SECT. 110B added, 1978, 395.

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. 111B added, 1980, 393 § 1 (establishing a cancer registry).

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); first paragraph amended, 1979, 224.

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; revised, 1979, 380; sixth sentence revised, 1978, 104 § 1; paragraph added, 1971, 261. (See 1975, 706 § 312.)

SECT. 127B, first paragraph amended, 1966, 78; 1973, 295; first sentence revised, 1978, 104 § 2; eighth sentence revised, 1972, 522; fifth paragraph amended, 1978, 104 § 3; paragraph added, 1973, 920; amended, 1974, 298.

SECT. 127C, first paragraph amended, 1978, 104 § 4; paragraph added, 1969, 242.

SECT. 127E amended, 1978, 104 § 5.

SECT. 127F, first paragraph, first sentence stricken out and three sentences inserted, 1975, 467 § 1.

SECT. 127G, sentence added, 1971, 843; amended, 1973, 591 § 2. (See 1971, 843 § 27; 1973, 591 § 22.)

SECT. 127H, first paragraph, third sentence revised, 1972, 201; amended, 1978, 104 § 6; 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; amended, 1978, 104 § 7; 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. 127O added, 1980, 132 (establishing a penalty for the conveyance of real estate to evade certain notices or orders).

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; last sentence revised, 1979, 55; 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. 142J added, 1979, 761 § 6 (relative to establishing rules and regulations setting motor vehicle emission standards). (See 1979, 761 § 8.)

SECT. 143 revised, 1933, 269 § 2; 1948, 480 § 1; amended, 1956, 275 § 1; second paragraph revised, 1975, 706 § 179. (See 1975, 706 § 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; first paragraph revised, 1978, 197 § 4; 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. 150B added, 1980, 508 § 4 (further regulating the disposal of hazardous waste materials).

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); first paragraph, second sentence amended, 1980, 572 § 96. (See 1980, 572 § 417.)

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. 165 amended, 1978, 514 § 195. (See 1978, 514 § 287.)

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); first paragraph, fifth sentence amended, 1980, 572 § 97; second paragraph amended, 1946, 155 § 1; paragraph added, 1946, 155 § 2. (See 1980, 572 § 418.)

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 flouroscopic, 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 (*a*), second paragraph amended, 1979, 589; subsection (*b*), first paragraph amended, 1975, 410.

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); seventh paragraph, sentence added, 1978, 342. (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; revised, 1979, 597 § 1. (See 1973, 328 § 2.)

SECT. 10 revised, 1979, 597 § 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 sentences inserted, 1945, 396 § 1; sentence inserted after second sentence, 1955, 622; revised, 1957, 329; third sentence (as appearing in 1945, 396 § 1) amended, 1952, 585 § 21; fourth sentence (as appearing in 1945, 396 § 1) revised, 1954, 519 § 1; fifth and sixth sentences (as appearing in 1939, 451 § 37) revised, 1948, 28; third paragraph revised, 1945, 396 § 2; paragraph inserted after fourth paragraph, 1948, 413; paragraph added, 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; first paragraph amended, 1979, 58 § 2; second sentence amended, 1980, 572 § 98; fourth sentence amended, 1980, 572 § 99; second paragraph amended, 1980, 572 § 100; third paragraph, last sentence amended, 1980, 572 § 101; last sentence amended, 1980, 572 § 102; fifth paragraph, last sentence amended, 1980, 572 § 102. 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; 1980, 572 § 417.)

SECT. 2A amended, 1945, 396 § 3; 1954, 519 § 2; 1959, 334 § 2. 1980, 572 § 104. (See 1959, 344 § 3; 1980, 572 § 417.)

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. fourth paragraph revised, 1980, 213. (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. first sentence amended, 1980, 572 § 105. (See 1973, 925 § 84; 1060 § 3; 1980, 572 § 417.)

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; section revised, 1979, 643; amended, 1980, 572 § 106. (See 1980, 572 § 417.)

SECTS. 9C-9H added, 1973, 937 § 1 (providing for the use of physician assistants). (See 1973, 937 § 4.)

SECT. 9G, eighth paragraph revised, 1980, 572 § 107. (See 1980, 572 § 417.)

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; amended, 1980, 374 § 2.

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; second paragraph revised, 1980, 291; 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); revised, 1980, 272.

SECT. 12H added, 1973, 173 § 1 (requiring physicians to print or write their names on prescription blanks).

SECT. 12I added, 1973, 521 § 1 (providing that certain medical personnel need not participate in certain medical procedures); sentence added, 1979, 216.

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.

SECTS. 12K-12U added, 1977, 397.

SECT. 12R, sentence inserted after first sentence, 1977, 497.

SECT 12S revised, 1980, 240.

SECT. 12V added, 1977, 555 (exempting from civil liability certain individuals for rendering emergency cardiopulmonary resusitation).

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. 13 amended, 1937, 425 § 2; revised, 1956, 344; amended, 1970, 443 § 17; sentence added, 1978, 220. (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 sentence amended, 1980, 572 § 108; third sentence amended, 1980, 572 § 109; last sentence amended, 1980, 572 § 110; second paragraph amended, 1970, 443 § 22; 1972, 684 § 20; last sentence amended, 1980, 572 § 111; third paragraph amended, 1970, 443 § 23; last sentence amended, 1980, 572 § 112; 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; 1980, 572 § 417.)

SECTS. 16A-16C added, 1979, 329 (providing for the limited registration of podiatrists).

SECT. 16A, first paragraph, first sentence amended, 1980, 572 § 113. (See 1980, 572 § 417.)

SECT. 16C, last sentence amended, 1980, 572 § 114. (See 1980, 572 § 417.)

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; clause (*e*) revised, 1978, 508 § 2; paragraph added, 1978, 508 § 3. (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. (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. 23B, last sentence amended, 1980, 572 § 115. (See 1980, 572 § 417.)

SECT. 23C amended, 1977, 87.

SECT. 23D, last sentence amended, 1980, 572 § 116. (See 1980, 572 § 417.)

SECT. 23E, fourth sentence amended, 1980, 572 § 117; last sentence amended, 1980, 572 § 118.(See 1980, 572 § 417.)

SECT. 23G, first sentence amended, 1980, 572 § 119. (See 1980, 572 § 417.)

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; first sentence amended, 1980, 572 § 120; third sentence amended, 1980, 572 § 121; seventh sentence amended, 1980, 572 § 122; ninth and tenth sentences stricken out, 1979, 57. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4; 1972, 684 § 136; 1980, 572 § 417.) 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; 1980, 572 § 123; fifth sentence amended, 1980, 572 § 124; last sentence amended, 1980, 572 § 125. (See 1945, 502 § 4; 1972, 684 § 136; 1980, 572 § 417.)

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 § 1; repealed, 1974, 326 § 2.

SECT. 36 revised, 1934, 328 § 6; 1980, 480 § 2.

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; first and second sentence amended, 1980, 572 § 126. (See 1963, 450 § 2; 1972, 684 § 136; 1980, 572 § 417.)

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; first paragraph, last sentence amended, 1980, 572 § 127; paragraph added, 1977, 653. (See 1963, 488 § 2; 1972, 684 § 136; 1980, 572 § 417.)

SECT. 39A added, 1980, 135 § 1 (providing for registration of pharmacies restricted to furnishing prescription drugs and pharmaceutical services to beneficiaries of Health, Welfare, and Retirement funds).

SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5; 1980, 135 § 2.

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; 1980, 572 § 128. (See 1972, 684 § 136; 1980, 572 § 417.)

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; amended, 1980, 572 § 129; third sentence amended, 1980, 572 § 130; fourth sentence amended, 1980, 572 § 131. (See 1939, 415 § 3; 1948, 221; 1972, 684 § 136; 1973, 925 § 84; 1980, 572 § 417.)

SECT. 45A amended, 1949, 564 § 2; revised, 1965, 583 § 3; 1977, 757 § 5; first sentence amended, 1980, 572 § 132. (See 1980, 572 § 417.)

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; first sentence amended, 1980, 572 § 133. (See 1980, 572 § 417.)

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; first sentence amended, 1980, 572 § 134; second paragraph amended, 1965, 583 § 6; stricken out and three paragraphs inserted, 1977, 757 § 7A; fourth paragraph revised, 1977, 757 § 8; fifth paragraph amended, 1980, 572 § 135; last paragraph stricken out and two paragraphs inserted, 1965, 583 § 7; last paragraph amended, 1972, 684 § 28; revised, 1980, 572 § 136. (See 1972, 684 § 136; 1980, 572 § 417.)

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; section revised, 1978, 508 § 4.

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; revised, 1980, 480 § 3.

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; first paragraph, second sentence amended, 1980, 572 § 137; second paragraph, first sentence revised, 1980, 572 § 138. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 § 2; 1952, 585 §§ 25, 26; 1972, 684 § 136; 1973, 925 § 84; 1980, 572 § 417.)

SECT. 56 revised, 1958, 533 § 5.

SECT. 56A added, 1963, 468 (authorizing the board of registration in veterinary medicine to issue a license to certain veterinarians licensed in other states); revised, 1974, 810 § 7.

SECT. 56B added, 1973, 173 § 4 (requiring veterinarians to write or print their names on prescription blanks).

SECT. 56C added, 1975, 451 § 4 (providing for practical examinations of certain applicants); amended, 1980, 572 § 139. (See 1980, 572 § 417.)

SECT. 56D added, 1980, 428 (providing for an institutional license for certain veterinarian schools).

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; revised, 1980, 572 § 140. (See 1972, 684 § 136; 1980, 572 § 417.)

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; third sentence amended, 1980, 572 § 141; last sentence amended, 1980, 572 § 142. (See 1953, 558 § 4; 1980, 572 § 417.)

SECT. 60E, paragraph added, 1953, 558 § 3; amended, 1971, 753 § 3; second paragraph amended, 1980, 572 § 143. (See 980, 572 § 417.)

SECT. 60F revised, 1957, 679 § 2. (See 1957, 679 §§ 4, 5.)

SECT. 60G amended, 1971, 282 § 1, 390 § 5.

SECT. 60H, last sentence amended, 1980, 572 § 144. (See 1980, 572 § 417.)

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; 1978, 508 § 5.

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; first paragraph, second sentence amended, 1980, 572 § 145; third and fourth sentences revised, 1980, 572 § 146; second paragraph, last sentence amended, 1980, 572 § 147. (See 1973, 925 § 84; 1980, 572 § 417.)

SECT. 69 revised, 1949, 463; first paragraph, first sentence revised, 1980, 572 § 148; paragraph added, 1974, 716. (See 1980, 572 § 417.)

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; first sentence amended, 1980, 572 § 149; second paragraph amended, 1980, 572 § 150; third paragraph, first sentence amended, 1980, 572 § 151. (See 1973, 925 § 84; 1980, 572 § 417.)

SECT. 73G amended, 1956, 164; first sentence amended, 1980, 572 § 152. (See 1980, 572 § 417.)

SECT. 73K, third sentence amended, 1980, 572 § 153. (See 1980, 572 § 417.)

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; 1980, 572 § 154; fourth and fifth sentences revised, 1969, 603 § 1; 1973, 265 § 1; fourth sentence amended, 1972, 684 § 32; 1980, 572 § 155; fifth sentence amended, 1972, 684 § 33; 1980, 572 § 156; stricken out and four sentences inserted, 1977, 884 § 1. (See 1959, 415 § 5; 1969, 603 § 7; 1972, 684 § 136; 1980, 572 § 417.)

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; amended, 1980, 572 § 157; fourth sentence amended, 1972, 684 § 35; 1980, 572 § 158; fifth sentence amended, 1972, 684 § 36; stricken out and four sentences inserted, 1977, 884 § 2; fifth sentence amended, 1980, 572 § 159. Affected, 1956, 371; 1957, 539, 595 §§ 6, 7. (See 1953, 350 §§ 13, 14; 1959, 415 § 5; 1969, 603 § 7; 1972, 684 § 136; 1980, 572 § 417.)

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; 1980, 572 § 160. (See 1969, 603 § 7; 1972, 684 § 136; 1980, 572 § 417.)

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; revised, 1980 572 § 161. (See 1969, 603 § 7; 1972, 684 § 136; 1980, 572 § 417.)

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 midwifery).

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.

SECTS. 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; subsection (2), clause (*f*) added, 1979, 687. (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; second paragraph revised, 1980, 572 § 162. (See 1972, 684 § 136; 1980, 572 § 417.)

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; second sentence amended, 1980, 572 § 163; third sentence amended, 1980, 572 § 164; sixth sentence amended, 1975, 588 § 4; 1980, 572 § 165. (See 1960, 472 § 2; 1972, 684 § 136; 1980, 572 § 417.)

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; 1980, 572 § 166. (See 1980, 572 § 417.)

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;

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; second paragraph amended, 1972, 684 § 43; 1973, 925 § 24, 596 § 2; 1948, 491; second paragraph amended, 1972, 684 § 43; 1973, 925 § 24; second sentence amended, 1980, 572 § 167; third paragraph amended, 1973, 925 § 25; revised, 1980, 480 § 4; fourth paragraph amended, 1972, 684 § 44; first sentence amended, 1980, 572 § 168; fifth paragraph amended, 1972, 684 § 45; 1980, 572 § 169; sixth paragraph amended, 1972, 684 § 46; third sentence amended, 1980, 572 § 170; eighth paragraph amended, 1972, 684 § 47; 1980, 572 § 171; ninth paragraph amended, 1972, 684 § 48; last paragraph, third sentence revised, 1980, 572 § 172. (See 1972, 684 § 136; 1973, 925 § 84; 1980, 572 § 417.)

SECT. 84, second paragraph amended, 1972, 684 § 49; revised, 1980, 572 § 173; fourth paragraph, clause (b) revised, 1978, 508 § 6. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 84B added, 1978, 340 (requiring an itemized list of funeral costs).

SECT. 85 amended, 1941, 232.

SECT. 87 amended, 1937, 13; 1939, 160 § 2.

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; third paragraph, clause (8) revised, 1980, 572 § 174; paragraph (*c*) stricken out and paragraphs (*c*) and (*d*) inserted, 1972, 693 § 1; paragraph (*d*) amended, 1980, 572 § 175. (See 1973, 925 § 84; 1980, 572 § 417.)

SECT. 87B, paragraph (*b*) revised, 1972, 693 § 2; 1980, 572 § 176. (See 1980, 572 § 417.)

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; definition of "Barber" revised, 1980, 480 § 5; definition of "Cosmetologist" revised, 1980, 480 § 6.

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; first sentence amended, 1980,

572 § 177; second paragraph, fourth sentence stricken out and two sentences inserted, 1963, 471 § 2; second paragraph revised, 1980, 572 § 178; second, third and fourth sentences revised, 1969, 588; sixth sentence revised, 1963, 490; seventh sentence revised, 1971, 829; three paragraphs added, 1969, 587; third and fourth paragraphs stricken out, paragraph inserted, 1979, 107; fifth paragraph revised, 1980, 572 § 179. (See 1941, 619 § 2; 1980, 572 § 417.)

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; second sentence amended, 1980, 572 § 180; seventh sentence revised, 1980, 572 § 181; eighth sentence amended, 1980, 572 § 182; ninth sentence amended, 1980, 572 § 183; twelfth sentence amended, 1980, 572 § 184. (See 1980, 572 § 417.)

SECT. 87K, paragraph added, 1936, 314 § 3; stricken out, 1978, 508 § 7.

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; first paragraph, fourth sentence revised, 1980, 572 § 185; paragraph added, 1950, 440 § 1; revised, 1963, 510 § 1. second paragraph, second sentence amended, 1980, 572 § 186; last sentence amended, 1980, 572 § 187. (See 1950, 440 § 2; 1963, 510 § 3; 1980, 572 § 417.)

SECT. 87Q repealed, 1963, 510 § 2.

SECT. 87R amended, 1936, 314 § 5.

SECT. 87S, sentence added, 1952, 362; revised, 1980, 480 § 7.

SECTS. 87T-87JJ added, under caption, 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

SECT. 87T, definition of "Apprentice" stricken out and definition of "Instructor" added, 1941, 626 § 1; definition of "Shop" revised, 1941, 626 § 2; section revised, 1943, 565 § 1; 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; second paragraph, fourth sentence revised, 1980, 572 § 188. (See 1980, 572 § 417.)

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 § 2; paragraph inserted after second paragraph, 1971, 334; section revised, 1977, 806; 1979, 758; first paragraph, second sentence amended, 1980, 572 § 189; fourth sentence amended, 1980, 572 § 190. (See 1980, 572 § 417.)

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; third paragraph revised, 1980, 572 § 191; last paragraph, second sentence amended, 1980, 572 § 192. (See 1966, 456 § 8; 1972, 684 § 136; 1980, 572 § 417.)

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; third sentence amended, 1980, 572 § 193. (See 1966, 456 § 8; 1980, 572 § 417.)

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.)

SECT. MM, third sentence amended, 1980, 572 § 194; last sentence amended, 1980, 572 § 195. (See 1980, 572 § 417.)

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. 87RR, second paragraph revised, 1978, 357 § 1.

SECT. 87SS, first paragraph revised, 1962, 775 § 2; section revised, 1975, 222; paragraph inserted after first paragraph, 1978, 522 § 1. (See 1962, 775 § 3; 1978, 522 § 2.)

SECT. 87TT, first paragraph revised, 1961, 363 § 2; second paragraph amended, 1973, 925 § 27; first and second sentences revised, 1980, 572 § 196. (See 1973, 925 § 84; 1980, 572 § 417.)

SECT. 87UU, second paragraph amended, 1972, 684 § 51; second sentence amended, 1980, 572 § 197. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 87VV, first two sentences revised, 1978, 357 § 2.

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; section revised, 1980, 572 § 198. (See 1972, 684 § 136; 1980, 572 § 417.)

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.

SECT. 87KKK revised, 1978, 508 § 8.

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; second sentence amended, 1980, 572 § 199; last sentence amended, 1980, 572 § 200; paragraph added, 1969, 166; amended, 1970, 328. (See 1973, 925 § 84; 1980, 572 § 417.)

SECT. 87LLL revised, 1964, 518 § 2; amended, 1973, 782; first paragraph, third sentence amended, 1980, 572 § 201; fifth sentence amended, 1980, 572 § 202; eleventh sentence amended, 1980, 572 § 203; second paragraph, second sentence amended, 1980, 572 § 204; fifth sentence amended, 1980, 572 § 205. (See 1964, 518 § 3; 1980, 572 § 417.)

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. first paragraph, first sentence amended, 1980, 572 § 206; second paragraph, first sentence amended, 1980, 572 § 207; last sentence amended, 1980, 572 § 208. (See 1973, 925 § 84; 1980, 572 § 417.)

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; 1980, 572 § 209. (See 1972, 684 § 136; 1980, 572 § 417.)

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; section revised, 1980, 572 § 210. (See 1980, 572 § 417.)

SECTS. 87WWW-87ZZZ added, under caption, 1970, 521 § 2 (providing for the registration of certified health officers).

SECT. 87XXX amended, 1980, 572 § 211; 1980, 572 § 212. (See 1980, 572 § 417.)

SECTS. 87AAAA-87BBBB added, under caption, 1970, 781 § 2 (providing for certification of waste treatment facility operators).

SECT. 87AAAA revised, 1975, 736; fourth sentence revised, 1980, 572 § 213; last sentence amended, 1980, 572 § 214. (See 1980, 572 § 417.)

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; fourth sentence revised, 1980, 572 § 215. (See 1980, 572 § 417.)

SECT. 88, clause (3) amended, 1941, 626 § 13; 1956, 410; section revised, 1980, 572 § 216. (See 1980, 572 § 417.)

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; second sentence revised, 1980, 572 § 217; third sentence amended (effective date to be December 1, 1969) 1966, 409 § 5; 1973, 925 § 32. (See 1973, 925 § 84; 1980, 572 § 417.)

SECT. 92 revised, 1968, 137; first sentence revised, 1980, 572 § 218. (See 1980, 572 § 417.)

SECT. 95 amended, 1969, 313; 1972, 447 § 2.

SECT. 96 amended, 1968, 477; revised, 1972, 447 § 3; second sentence revised, 1980, 572 § 219. (See 1980, 572 § 417.)

SECT. 97, second paragraph revised, 1978, 508 § 9.

SECTS. 98-107 added, under caption, 1968, 473 § 2 (providing for registration of landscape architects).

SECT. 103, paragraph (2) amended, 1972, 684 § 56; section revised, 1980, 572 § 220. (See 1972, 684 § 136; 1980, 572 § 417.)

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; first paragraph, last sentence amended, 1980, 572 § 221; second paragraph, last sentence amended, 1980, 572 § 222. (See 1980, 572 § 417.)

SECTS. 118-129 added, under caption, 1971, 1021 § 2 (regulating the registration and licensing of psychologists).

SECT. 121, sentence added, 1979, 216.

SECT. 123 amended, 1977, 829 § 10.

SECT. 126 revised, 1980, 572 § 223. (See 1980, 572 § 417.)

SECTS. 130-137 added, 1977, 818 § 2 (further regulating the registration and licensing of social workers). (See 1977, 818 § 4.)

SECT. 136, second paragraph, first sentence amended, 1980, 572 § 224. (See 1980, 572 § 417.)

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. 3A added, 1978, 277 (relative to the ownership of certain unclaimed graves).

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. 29 revised, 1978, 110.

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 commercial motion picture film without permission).

SECTS. 43A-43N added, under caption, 1936, 319 § 6 (relative to the ownership, maintenance and operation of cemeteries and crematories and to the disposal of dead human bodies). (See 1936, 319 § 7.)

SECT. 43D revised, 1972, 32.

SECT. 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. 44, last sentence revised, 1980, 319.

SECT. 44A added, 1978, 230 (relative to the cremation of bodies); last sentence revised, 1980, 319.

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; paragraph inserted after third paragraph, 1979, 403.

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. 2, clause (e) added, 1980, 36 § 1. (See 1980, 36 § 3.)

SECT. 2A added, 1974, 533 (providing public assistance to residents of certain disaster areas); second paragraph, sentence added, 1978, 250.

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. 5A added 1980, 36 § 2 (relative to an application for assistance). (See 1980, 36 § 3).

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 § 25A ½; stricken out, 1979, 342 § 8A. (See 1974, 623 § 4; 1975, 684 § 97;1979, 342 § 19.)

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; amended, 1979, 393 § 69. (See 1973, 1210 § 39; 1979, 393 § 73.)

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. 1, paragraph added, 1980, 329 § 99. (See 1980, 329 § 101.)

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; sentence added, 1979, 599. (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. 6A added, 1980, 329 § 38.

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. sentence added, 1980, 329 § 44.

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; section stricken out, 1980, 524 § 3. (See 1970, 701 § 4; 1975, 684 § 97; 1976, 283 § 34.)

SECT. 21 repealed, 1980, 524 § 3.

SECTS. 21A-21G added, under caption, 1980, 524 § 3 (relative to fraud and deceit in connection with the medical care and assistance program).

SECT. 22, first paragraph amended, 1974, 752 § 13; third paragraph revised, 1974, 787 § 2.

SECT. 24 amended, 1973, 1168 § 23; repealed, 1974, 787 § 3. (See 1973, 1168 § 40.)

SECT. 25 revised, 1973, 1210 § 29. (See 1973, 1210 § 39.)

SECT. 27 amended, 1974, 787 § 4.

Chapter 119. — Protection and Care of Children, and Proceedings against Them.

Sects. 1-51 stricken out and sections 1-39 inserted, 1954, 646 § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

The following references are to sections 1-39, as so inserted:

SECT. 1, second paragraph amended, 1972, 785 § 5. (See 1972, 785 § 20.)

SECT. 3 amended, 1967, 658 § 70.

SECT. 4 amended, 1960, 378 § 1.

SECT. 6 revised, 1960, 378 § 2.

SECT. 8A added, 1965, 618 (relative to the licensing of certain homes providing day care to children).

SECT. 12 amended, 1967, 658 § 71.

SECT. 18 amended, 1967, 658 § 72.

SECT. 20 amended, 1967, 658 § 73.

SECTS. 2-20 repealed, 1972, 785 § 6. (See 1972, 785 § 20.)

SECT. 21 revised, 1972, 785 § 7; amended, 1973, 1073 § 3, 1076 § 1A; definition of "Department" revised, 1978, 552 § 28. (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; subsection H added, 1980, 478. (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; 1978, 478 § 49; revised, 1980, 181; two sentences inserted after second sentence, 1977, 799; third sentence amended, 1973, 1076 § 2; sentence added, 1978, 478 § 50. (See 1978, 478 § 343.)

SECT. 26 amended, 1973, 925 § 41, 1076 § 3; subsection (2), subparagraph (iii) amended, 1978, 552 § 29. (See 1973, 925 § 84.)

SECT. 27, sentence added, 1973, 1005; revised, 1978, 478 § 51. (See 1978, 478 § 343.)

SECT. 29 revised, 1973, 1076 § 4; 1978, 501.

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, first paragraph, first sentence amended, 1978, 478 § 52; sentence added, 1978, 478 § 52A; sixth paragraph, third sentence revised, 1976, 412 § 1; 1978, 552 § 30; paragraph added, 1978, 478 § 53. (See 1978, 478 § 343.)

SECT. 39G, first paragraph, clause (*c*) revised, 1976, 412 § 2; 1978, 552 § 31; third paragraph revised, 1979, 334.

SECT. 39H, second paragraph, second sentence revised, 1977, 543.

SECT. 39I revised, 1978, 478 § 54. (See 1978, 478 § 343.)

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; first sentence amended, 1979, 312 § 1; first paragraph revised, 1980, 434; third paragraph, sentence added, 1977, 501; paragraph inserted after fourth paragraph, 1978, 215 § 1. (See 1978, 215 § 3; 1979, 312 § 2.)

SECT. 51B, clauses (1), (2), and (3) revised, 1978, 131.

SECT. 51D, first sentence revised, 1978, 552 § 32.

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; 1978, 478 § 55; definition of "Delinquent child" amended, 1948, 310 § 3; revised, 1960, 353 § 1; definition of "Wayward child" stricken out, 1973, 1073 § 6. (See 1978, 478 § 343.)

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. 55A added, 1978, 478 § 56. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 57; fourth paragraph, second sentence revised, 1979, 344 § 1. (See 1978, 478 § 343; 1979, 344 § 51.)

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; revised, 1978, 478 § 58; fourth paragraph revised, 1969, 859 § 10; 1972,

731 § 10; amended, 1973, 1073 § 15. (See 1969, 838 § 74; 1973, 925 § 84; 1978, 478 § 343.)

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; 1980, 95. (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; revised, 1978, 478 § 59. (See 1948, 310 § 31; 1978, 478 § 343.)

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; revised, 1978, 478 § 60; two sentences added, 1969, 859 § 11; sentence added, 1972, 731 § 11. (See 1965, 659 § 7; 1978, 478 § 343.)

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; second sentence revised, 1978, 478 § 61. (See 1978, 478 § 343.)

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1; 1969, 838 § 17; amended, 1978, 478 § 62. (See 1969, 838 § 74; 1978, 478 § 343.)

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; section revised, 1978, 478 § 63. (See 1969, 838 § 74; 1978, 478 § 343.)

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; amended, 1978, 478 § 64. (See 1969, 838 § 74; 1978, 478 § 343.)

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; 1978, 478 § 65. (See 1969, 838 § 74; 1978, 478 § 343.)

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; 1978, 478 § 66. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of committment 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); second sentence revised, 1969, 766 § 6; section repealed, 1969, 838 § 29. (See 1969, 766 § 48, 838 § 74.)

SECT. 3 revised, 1952, 605 § 6; amended, 1969, 838 § 30. (See 1952, 605 §§ 19-21; 1969, 838 § 74.)

SECT. 4 revised, 1952, 605 § 7; amended, 1969, 838 § 31. (See 1952, 605 §§ 19-21; 1969, 838 § 74.)

SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service in the department of education); first sentence revised, 1969, 704 § 49;

section repealed, 1969, 838 § 32. (See 1952, 605 §§ 15, 19-21; 1969, 704 § 60, 838 § 74.)

SECT. 5 revised, 1969, 838 § 33. (See 1969, 838 § 74.)

SECT. 6, paragraph (*e*) revised, 1949, 593 § 1; section amended, 1969, 838 § 34. (See 1969, 838 § 74.)

SECT. 6A amended, 1969, 838 § 35. (See 1969, 838 § 74.)

SECT. 7 amended, 1952, 605 § 9; revised, 1969, 838 § 36. (See 1952, 605 §§ 15, 19-21; 1969, 838 § 74.)

SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10; fourth and fifth sentences revised, 1969, 838 § 37. (See 1952, 605 §§ 15, 19-21; 1969, 838 § 74.)

SECT. 9 amended, 1952, 605 § 11; 1969, 838 § 38. (See 1952, 605 §§ 15, 19-21; 1969, 838 § 74.)

SECT. 10, subsection (*a*) amended, 1950, 545; section revised, 1952, 605 § 12; 1969, 838 § 39; subsection (*a*) amended, 1973, 925 § 43; first paragraph, first sentence amended, 1978, 478 § 67. (See 1952, 605 §§ 15, 19-21; 1969, 838 § 74; 1973, 925 § 84; 1978, 478 § 343.)

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; revised, 1978, 478 § 68. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 21 revised, 1969, 838 § 51. (See 1969, 838 § 74.)

SECT. 22 amended, 1956, 731 § 3; revised, 1969, 838 § 52. (See 1969, 838 § 74.)

SECT. 23 amended, 1969, 838 § 53; revised, 1973, 925 § 46. (See 1969, 838 § 74; 1973, 925 § 84.)

SECT. 23A amended, 1969, 838 § 54. (See 1969, 838 § 74.)

SECT. 24 revised, 1969, 838 § 55. (See 1969, 838 § 74.)

SECT. 25 revised, 1969, 838 § 56. (See 1969, 838 § 74.)

SECT. 26 amended, 1969, 838 § 57. (See 1969, 838 § 74.)

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 1 amended, 1966, 214 § 2; repealed, 1967, 658 § 77.

SECT. 2 repealed, 1967, 658 § 77.

SECT. 3 revised, 1952, 602 § 11; repealed, 1967, 658 § 77.

SECT. 4 repealed, 1967, 658 § 77.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2; repealed, 1967, 658 § 77.

SECT. 5 repealed, 1966, 214 § 1.

SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948, 310 § 26; revised, 1952, 602 § 12; second sentence stricken out, 1958, 613 § 5; section repealed, 1966, 214 § 1. (See 1948, 310 §§ 30, 31.)

SECT. 8 repealed, 1960, 313 § 3.

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the director of the division of aid and relief for the benefit of persons under the care and supervision of the department); revised, 1941, 523; amended, 1950, 162 § 4; revised, 1954, 126 § 4; 1961, 493 § 6; repealed, 1967, 658 § 77.

SECT. 8B added, 1941, 618 (relative to the disposition of certain unclaimed moneys held by the division of child guardianship for the benefit of certain wards thereof); repealed, 1967, 658 § 77.

SECT. 9 amended, 1941, 351 § 13; last two sentences stricken out, 1956, 715 § 5; section revised, 1958, 613 § 6; repealed, 1966, 214 § 1.

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added, 1945, 458 § 3; repealed, 1967, 658 § 77.

SECT. 10 repealed, 1958, 613 § 4.

SECT. 11 repealed, 1958, 613 § 4.

SECT. 12 amended, 1941, 351 § 14; repealed, 1958, 613 § 4.

SECT. 13 amended, 1941, 351 § 15; repealed, 1958, 613 § 4.

SECT. 14 repealed, 1966, 214 § 1.

SECT. 15 amended, 1941, 351 § 16; repealed, 1948, 310 § 27. (See 1948, 310 §§ 30, 31.)

SECT. 16 repealed, 1960, 313 § 3.

SECT. 20 repealed, 1966, 214 § 1.

SECT. 21 repealed, 1966, 214 § 1.

SECT. 22 repealed, 1966, 214 § 1.

SECT. 22A repealed, 1948, 618 § 2. (See 1948, 618 § 3.)

SECTS. 22B-22E added, under caption, 1960, 776 § 1 (establishing a division of urban and industrial renewal); repealed and caption preceding section 22B stricken out, 1964, 636 § 4. (See 1960, 776 § 12; 1964, 636 § 13.)

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3; amended, 1964, 636 § 5; repealed, 1969, 751 § 2. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3; repealed, 1969, 751 § 2. (See 1933, 364 § 8.)

SECT. 24A added, 1935, 449 § 2A (authorizing the acceptance and use by the state board of housing of grants of federal funds); repealed, 1969, 751 § 2.

SECT. 24B added, 1935, 485 § 1 (authorizing the state board of housing to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects); repealed, 1969, 751 § 2.

SECT. 25 revised, 1933, 364 § 4; repealed, 1969, 751 § 2. (See 1933, 364 § 8.)

SECT. 26 amended, 1933, 364 § 5; revised, 1935, 475 § 4; amended, 1936, 211 § 6; 1947, 340 § 6; two paragraphs added, 1954, 643 § 2; same paragraphs stricken out, 1955, 654 § 1; section repealed, 1969, 751 § 2. (See 1933, 364 § 8; 1936, 211 § 7; 1955, 654 § 5.)

SECTS. 26A-26H added, 1933, 364 § 6 (relative to the powers and duties of the state board of housing, and to limited dividend corporations under its control). (See 1933, 364 § 8.)

SECT. 26H revised, 1935, 449 § 3.

SECTS. 26A-26H repealed, 1945, 654 § 2.

SECTS. 26I-26BB added, under caption, 1935, 449 § 5 (relative to the establishment, powers and duties, and discontinuance, of local housing authorities).

SECTS. 26I-26BB stricken out and new sections 26I-26II inserted, 1938, 484 § 1 (to relate the Massachusetts Housing Authority Law to the United States Housing Act of 1937.) (See 1938, 484 § 2; 1941, 269 § 2; 1942, 317.)

SECTS. 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; 1966, 138 § 2; 1968, 761 § 9; definition of "Federal legislation" revised, 1953, 647 § 10; definition of "Low-rent housing" amended, 1953, 668 § 4; definition of "Low-rent housing project" revised, 1966, 705 § 1; definition of "Elderly persons of low income" inserted, 1953, 668 § 3; definition of "Blighted open area" inserted, 1953, 647 § 12; amended, 1957, 613 § 1; revised, 1960, 776 § 3; definition of "Community renewal project" inserted, 1966, 692 § 1; definition of "Sub-standard area" revised, 1960, 776 § 5; definition of

"Decadent area" revised, 1953, 647 § 11; 1960, 776 § 4; definition of "Land assembly and redevelopment project" revised, 1953, 647 § 13; 1958, 198; 1962, 643 § 1; definition of "Land assembly and redevelopment plan" amended, 1953, 647 § 14; definition of "Mayor" inserted, 1951, 322; revised, 1954, 71 § 1; definitions of "Redevelopment authority" and "Relocation project" inserted, 1952, 617 § 3; definition of "Relocation payments" inserted, 1966, 619 § 1; definition of "Veterans" revised, 1948, 200 § 2; definitions of "Servicemen" and "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 stricken out and four sentences inserted, 1969, 369 § 2; first sentence of third paragraph revised, 1954, 676; 1957, 537; last sentence of fourth paragraph revised, 1957, 372 § 2; last sentence of fifth paragraph revised, 1952, 550 § 2; stricken out, 1966, 705 § 5; subdivision (*a*), first paragraph revised, 1949, 742 § 2; amended, 1954, 507 § 2; subdivision (*a*), second paragraph amended, 1952, 550 § 1; subdivision (*a*), third paragraph amended, 1949, 742 § 3; 1954, 507 § 3; 1963, 585 § 2; subdivision (*b*), first sentence revised, 1952, 550 § 3; subdivision (*b*), first paragraph, sentence added, 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).

SECTS. 26SS-26VV revised, 1954, 667 § 1.

SECTS. 26SS-26TT repealed, 1969, 751 § 2.

SECT. 26UU, subdivision (*c*) revised, 1968, 217; subdivision (*e*) revised, 1968, 500; subdivision (*f*) added, 1965, 899 § 2; section repealed, 1969, 751 § 2.

SECT. 26VV amended, 1956, 466; revised, 1957, 168; first sentence amended, 1957, 705 § 2; section revised, 1957, 767; 1958, 591; 1960, 542; 1961, 573; 1963, 551; 1966, 626, 732; 1967, 572; 1968, 524; 1969, 687; repealed, 1969, 751 § 2. (See 1957, 705 §§ 1, 3, 4.)

SECT. 26WW stricken out and sections 26WW-26CCC inserted, under captions, 1955, 654 § 4 (relative to urban renewal projects). (See 1955, 654 § 5.)

SECTS. 26WW-26XX repealed, 1969, 751 § 2.

SECT. 26YY, second sentence revised, 1966, 704 § 2; section repealed, 1969, 751 § 2.

SECT. 26ZZ, second paragraph amended, 1957, 613 § 5; section revised, 1960, 776 § 7; first paragraph, second sentence amended, 1968, 142 § 1; second paragraph, second sentence amended, 1968, 142 § 2; paragraph added, 1966, 704 § 3; amended, 1968, 153; section repealed, 1969, 751 § 2.

SECTS. 26AAA-26CCC repealed, 1969, 751 § 2.

SECTS. 26DDD-26FFF added, under caption, 1960, 776 § 8 (providing financial assistance for urban redevelopment and urban renewal projects). (See 1960, 776 § 10.)

SECT. 26DDD, sentence added, 1964, 636 § 8; section repealed, 1969, 751 § 2.

SECT. 26EEE, second paragraph, sentence inserted after first sentence, 1962, 643 § 1A; section repealed, 1969, 751 § 2.

SECT. 26FFF, clauses (*b*) and (*c*) stricken out and clauses (*b*), (*c*) and (*d*) inserted, 1962, 643 § 2; clause (*d*) revised, 1967, 825; section repealed, 1969, 751 § 2. (See 1962, 643 § 4.)

SECTS. 26GGG AND 26HHH added, under caption, 1960, 776 § 9 (providing financial assistance for non-federally aided commercial or industrial redevelopment projects).

SECT. 26GGG repealed, 1969, 751 § 2.

SECT. 26GGG ½ 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. 26HHH revised, 1962, 643 § 3; third paragraph amended, 1968, 766 § 2; section repealed, 1969, 751 § 2.

SECTS. 26III AND 26JJJ added, 1964, 721 (providing for the rehabilitation of dwelling accommodations).

SECT. 26JJJ, paragraph added, 1967, 461; section repealed, 1969, 751 § 2.

SECTS. 26KKK, 26LLL AND 26MMM added, 1966, 707 § 2 (providing a rental assistance program for families of low income); repealed, 1969, 751 § 2.

SECTS. 23-26MMM repealed, 1972, 751 § 2.

SECT. 27 repealed, 1933, 364 § 7.

SECTS. 28-37 repealed, 1954, 508 § 2. (See 1954, 508 §§ 3-5.)

SECT. 31 amended, 1948, 559.

SECT. 38 repealed, 1966, 214 § 1.

SECT. 39 amended, 1941, 351 § 17; repealed, 1958, 613 § 4.

SECT. 40 amended, 1941, 656 § 13; repealed, 1966, 214 § 1. (See 1941, 656 § 17.)

SECT. 41 revised, 1958, 179; repealed, 1967, 658 § 77.

SECT. 42 amended, 1932, 180 § 22; 1941, 406; 1958, 613 § 7; 1964, 339 § 2; two sentences added, 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; second paragraph amended, 1978, 514 § 196; fifth paragraph, first sentence stricken out, two sentences inserted, 1976, 415 § 94; fifth paragraph amended, 1978, 514 § 197; eighth paragraph amended, 1978, 514 § 198. (See 1969, 540 § 2; 1975, 119 §§ 2, 3; 1976, 415 § 116; 1978, 514 § 287.)

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. 16 amended, 1978, 514 § 199. (See 1978, 514 § 287.)

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; amended, 1978, 514 § 200. (See 1978, 514 § 287.)

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. 4, clause (*e*), third sentence stricken out and two sentences inserted, 1979, 669 § 2.

SECT. 5, sixth paragraph amended, 1971, 565 § 1; 1974, 426; first sentence revised, 1979, 707.

SECT. 11, paragraph (*m*) stricken out and paragraphs (*m*) and (*n*) inserted, 1970, 851 § 2. paragraph (*o*) added, 1979, 183.

SECT. 12, third paragraph amended, 1978, 393 § 33. (See 1978, 393 § 45.)

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; clause (*m*) added, 1978, 578.

SECT. 26A added, 1973, 1215 § 8 (relative to increased housing for the elderly); two paragraphs added, 1980, 490 § 11.

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; fifth paragraph amended, 1978, 393 § 34. (See 1978, 393 § 45.)

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; fourth sentence stricken out, two sentences inserted, 1979, 669 § 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); revised, 1979, 453.

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; second sentence amended, 1980, 490 § 4; 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; third sentence stricken out and two sentences inserted, 1979, 669 § 2; 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. amended, 1980, 490 § 1.

SECT. 41A added, 1975, 825 § 2; revised, 1976, 4 § 7; second sentence revised, 1979, 714 § 3; fourth sentence revised, 1979, 714 § 4.

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. 52, second paragraph, first sentence amended, 1978, 393 §§ 35, 36; third paragraph amended, 1978, 393 § 37. (See 1978, 393 § 45.)

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; stricken out and definitions of "Facility" and "Intensive Care Unit for Women on I.C.U. inserted, 1978, 367 § 71A; definition of "Probate court" stricken out, 1971, 760 § 1A; four paragraphs added, 1978, 367 § 55; definition of "Qualified psychologist" inserted, 1980, 571 § 1. (See 1978, 367 § 72.)

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; section revised, 1978, 367 § 71B. (See 1978, 367 § 72.)

SECT. 5 amended, 1973, 569 § 2; revised, 1978, 367 § 71B. (See 1978, 367 § 72.)

SECT. 6, paragraph (*a*) amended, 1971, 760 § 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; 1978, 367 § 71C. (See 1978, 367 § 72.)

SECT. 8, two paragraphs added, 1971, 760 § 6; paragraph (*f*) amended, 1973, 569 § 4; section revised, 1976, 356 § 3; paragraph (*c*) amended, 1978, 478 § 69. (See 1978, 478 § 343.)

SECT. 8A added, 1978, 367 § 71D. (See 1978, 367 § 72.)

SECT. 9 revised, 1971, 760 § 7; 1978, 367 § 71E. (See 1978, 367 § 72.)

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; second sentence revised, 1980, 571 § 2. paragraph (*c*) revised, 1980, 571 § 3. paragraph (*d*) revised, 1973, 569 § 7; paragraph (*e*) amended, 1973, 569 § 8; paragraph (*f*) amended, 1973, 569 § 9; 1978, 478 § 70. (See 1978, 478 § 343.)

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; sixth sentence revised, 1980, 571 § 4.

SECT. 21 revised, 1978, 367 § 71F. (See 1978, 367 § 72.)

SECT. 22 amended, 1978, 367 § 71G; revised, 1980, 571 § 5. (See 1978, 367 § 72.)

SECT. 23, first paragraph amended, 1974, 291; paragraph added, 1978, 367 § 71H. (See 1978, 367 § 72.)

SECT. 24, paragraph (*a*) amended, 1973, 1229 § 4L; first sentence amended, 1978, 367 § 71I. (See 1973, 1229 § 13; 1978, 367 § 72.)

SECT. 27, sentence inserted after first sentence, 1974, 299; subsection (*a*) first sentence revised, 1977, 631; first paragraph, paragraph (*a*) revised, 1978, 367 § 55A; three sentences added, 1980, 329 § 45; paragraphs (*d*)-(*h*) added, 1978, 367 § 55B; paragraph (*i*) added, 1978, 367 § 71J. (See 1978, 367 § 72; 1980, 329 § 134.)

SECT. 28 amended, 1976, 205; 1978, 367 § 71K. (See 1978, 367 § 72.)

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); revised, 1978, 367 § 71L. (See 1978, 367 § 72.)

SECT. 30, sentence inserted before first sentence, 1971, 462; section revised, 1978, 367 § 71M. (See 1978, 367 § 72.)

SECT. 32, amended, 1973, 925 § 49; 1229 § 4Q. sentence added, 1980, 329 § 47. (See 1973, 925 § 84, 1229 § 13; 1980, 329 § 48.)

SECT. 33 amended, 1973, 1229 § 4R; revised, 1978, 367 § 71N, 478 § 71. (See 1973, 1229 § 13; 1978, 367 § 72, 478 § 343.)

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, first sentence amended, 1978, 367 § 71O; second sentence revised, 1974, 348. (See 1978, 367 § 72.)

SECT. 36A added, 1972, 398 (requiring privacy of certain court records except in the discretion of the court).

SECT. 37 amended, 1973, 925 § 50; sentence added, 1980, 329 § 46. (See 1973, 925 § 84; 1980, 329 § 134.)

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; sentence added, 1980, 436 § 5.

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; revised, 1978, 347.

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; second paragraph revised, 1978, 478 § 72. (See 1969, 838 § 74; 1978, 478 § 343.)

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; fourth paragraph revised, 1979, 468. (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. 2 amended, 1979, 485 § 6.

SECT. 4, sentence added, 1957, 192.

SECT. 8A added, 1979, 485 § 7 (relative to the chief adminis trative officer of a house of correction).

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; 1979, 485 § 8.

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 amended, 1979, 485 § 9. (See 1955, 770 §§ 117, 118, 123.)

SECT. 25 amended, 1979, 485 § 10.

SECT. 26 amended, 1979, 485 § 11.

SECT. 27 revised, 1971, 399.

SECT. 30 amended, 1979, 485 § 12.

SECT. 33 amended, 1979, 485 § 12A.

SECT. 34 amended, 1979, 485 § 13.

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; section amended, 1979, 485 § 14. (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. 5 amended, 1979, 485 § 15.

SECT. 6 amended, 1955, 770 § 15; revised, 1957, 777 § 8; amended, 1979, 485 § 16. (See 1955, 770 §§ 117, 118, 123.)

SECT. 8 amended, 1979, 485 § 17.

SECT. 9 amended, 1979, 485 § 18.

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. 13 amended, 1979, 485 § 19.

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; amended, 1979, 485 § 20. (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; amended, 1979, 485 § 21. (See 1955, 770 §§ 117, 123.)

SECT. 23 amended, 1941, 69.

SECT. 27 amended, 1955, 770 § 22. (See 1955, 770 §§ 117, 123.)

SECT. 28 revised, 1955, 770 § 23; amended, 1957, 777 § 10; sentence added, 1972, 805 § 4. (See 1955, 770 §§ 117, 123.)

SECT. 29, sentence added, 1972, 805 § 5.

SECT. 32 revised, 1955, 770 § 24; amended, 1957, 777 § 11.

SECT. 33 revised, 1955, 770 § 25; amended, 1957, 777 § 12; 1979, 485 § 22. (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; amended, 1979, 485 § 23. (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); first two sentences revised, 1978, 79.

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; 1979, 485 § 24. (See 1955, 770 §§ 119, 123.)

SECT. 52 revised, 1955, 770 § 36; amended, 1979, 485 § 25. (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); amended, 1979, 485 § 26. (See 1955, 770 §§ 117, 123.)

SECT. 67 amended, 1955, 770 § 41; revised, 1957, 777 § 21; amended, 1979, 485 § 27. (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; 1979, 485 § 28. (See 1955, 770 §§ 117, 123.)

SECT. 69 amended, 1955, 770 § 43; revised, 1957, 777 § 22; amended, 1979, 485 § 29. (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; amended, 1979, 485 § 30. (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; amended, 1979, 485 § 31. (See 1941, 436 § 2; 1955, 770 §§ 117, 123.)

SECT. 73 revised, 1955, 770 § 46; amended, 1957, 777 § 25; revised, 1979, 485 § 32. (See 1955, 770 §§ 117, 120, 123.)

SECTS. 74-77 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECTS. 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; 1979, 485 § 33. (See 1955, 770 §§ 117, 123.)

SECT. 88 amended, 1955, 770 § 51; revised, 1957, 777 § 28; amended, 1979, 485 § 34. (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; amended, 1979, 485 § 35. (See 1955, 770 §§ 117, 123.)

SECT. 95 repealed, 1958, 588 § 1.

SECT. 96 amended, 1941, 351 § 42; repealed, 1958, 588 § 1; amended, 1958, 613 § 8B (effective date subsequent to effective date of 1958, 588 § 1 and therefore of no effect).

SECTS. 96A AND 96B added, 1936, 383 (providing for the disposition of unclaimed money and property of former prisoners).

SECT. 96A amended, 1945, 290; revised, 1955, 770 § 56; amended, 1957, 777 § 30. (See 1955, 770 §§ 117, 123.)

SECT. 96B revised, 1955, 770 § 57; amended, 1957, 777 § 31. (See 1955, 770 §§ 117, 123.)

SECT. 97 revised, 1943, 113; 1955, 770 § 58; amended, 1956, 731 § 8; revised, 1958, 634; 1968, 627. (See 1955, 770 §§ 117, 123.)

SECT. 97A added, 1968, 624 (permitting transfer of prisoners sentenced to state prison to suitable and appropriate federal institutions).

SECTS. 98-108 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 109 repealed, 1941, 344 § 21.

SECT. 109A repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 109B added, 1935, 113 § 1 (relative to the transfer of certain prisoners from the Massachusetts Reformatory to the State Prison); repealed, 1955, 770 § 122. (See 1935, 113 § 2; 1955, 770 §§ 117, 123.)

SECTS. 110 AND 111 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 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; 1980, 155 § 1. (See 1941, 690 §§ 8-10.)

SECTS. 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 inserted, 1961, 282; next to last sentence amended,

1965, 884 § 2; paragraph added, 1959, 445 § 2; revised, 1963, 535; sentence added, 1965, 884 § 3; revised, 1967, 379. (See 1945, 49 § 2; 1946, 543 § 6; 1947, 131 § 2; 1948, 450 § 3; 1954, 567 § 10; 1955, 770 §§ 117, 123; 1965, 884 § 4.)

SECT. 129A added, 1959, 224 (providing for a reduction in sentence for prisoners who donate blood for certain causes); revised, 1959, 382 § 1; sentence after first sentence, 1960, 794; section revised, 1965, 317; third sentence stricken out and two sentences inserted, 1967, 221; third and fourth sentences stricken out and sentence inserted, 1968, 205; section revised, 1975, 765; amended, 1979, 485 § 36. (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; 1980, 155 § 2. (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. 131 revised, 1980, 155 § 3.

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; revised, 1979, 266. (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; revised, 1979, 390 § 1. (See 1946, 543 § 6; 1955, 770 §§ 117, 123.)

SECT. 135, last sentence revised, 1954, 567 § 6; section revised, 1960, 765 § 6; amended, 1979, 485 § 37. (See 1954, 567 § 10.)

SECT. 136 revised, 1946, 543 § 5; amended, 1955, 770 § 74; amended, 1973, 647 § 2; paragraph added, 1973, 647 § 3; second paragraph revised, 1979, 390 § 2. (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; repealed, 1980, 155 § 4. (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; repealed, 1980, 155 § 4.

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; section revised, 1979, 485 § 37A.

SECT. 147 stricken out, 1965, 772.

SECT. 148 revised, 1980, 155 § 5.

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; 1980, 155 § 6. (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; 1979, 485 § 38.

SECT. 150 revised, 1969, 194.

SECT. 151, last sentence amended, 1932, 180 § 25; section revised, 1956, 731 § 11; amended, 1958, 613 § 8D; 1974, 260 § 25.

SECTS. 151A-151G added, under caption, 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offenses who are on probation or parole). (See 1937, 307 § 2.)

SECT. 151F revised, 1957, 229 § 2.

SECT. 151G revised, 1957, 229 § 3.

SECTS. 151H AND 151I added, 1956, 229 (authorizing contracts with other states for the joint return of parole and probation violators).

SECT. 151J added, 1957, 229 § 1 (authorizing the retaking and temporary detention of parolees under the out-of-state probationer and parolee supervision law); second sentence revised, 1961, 99; fourth sentence amended, 1979, 485 § 39.

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; amended, 1979, 485 § 40.

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 of riding instructors).

SECT. 2B added, 1972, 717 § 2 (regulating riding schools and stables where horses are kept for hire); amended, 1973, 43 § 2.

SECT. 2C added, 1974, 204 (prohibiting the administering of drugs to certain horses); second paragraph revised, 1978, 44.

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); second paragraph amended, 1980, 397 § 3. (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 "Percent 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).

SECT. 84, definition of "Labeling" revised, 1978, 218 § 1; definition of "Treated" revised, 1978, 218 § 2.

SECT. 86 revised, 1978, 218 § 3.

SECT. 87 first paragraph revised, 1978, 218 § 4.

SECT. 88 revised, 1978, 218 § 5.

SECT. 89 amended, 1978, 218 § 6.

SECT. 90 amended, 1978, 218 § 7; second paragraph revised, 1978, 218 § 8.

SECT. 91 revised, 1978, 218 § 9.

SECT. 92 revised, 1978, 218 § 10.

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; 1978, 494 § 3.

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 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1; changed from (*n*) to (*o*), 1936, 405 § 3; clause (*p*) added, 1961, 1; 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, 1946, 445 § 1 (relative to the disposition of money held for payment of unclaimed winnings upon wagers made at horse and dog racing meetings). (See 1946, 445 § 2.)

SECT. 5B added, 1978, 494 § 4 (providing for certain reimbursement to the commonwealth).

SECT. 6, paragraph inserted after first paragraph, 1978, 494 § 5.

SECT. 7 revised, 1978, 494 § 6.

SECT. 8 revised, 1971, 721 § 3; 1978, 474 § 6.

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; 1978, 494 § 7.

SECT. 9B added, 1978, 494 § 7A (relative to rules, regulations and conditions).

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); revised, 1978, 494 § 8.

SECT. 10B added, 1973, 457 (providing a penalty for falsely making, altering, forging, uttering or publishing pari-mutuel betting tickets).

SECT. 11A added, 1963, 835 (prohibiting interlocking directorates between fairs and commercial racing corporations).

SECT. 11B added, 1972, 397 (further regulating certain licensees of the state racing commission).

SECT. 11C added, 1978, 494 § 9 (relative to the transfer of stock).

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, 436 § 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 innoculation 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; second sentence amended, 1980, 572 § 225; eighth and ninth paragraphs revised, 1967, 347 § 11. (See 1980, 572 § 417.)

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; first sentence revised, 1978, 485 § 1; 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; revised, 1978, 485 § 2.

SECT. 36E revised, 1956, 527 § 3; 1978, 485 § 2. (See 1978, 485 § 3.)

SECTS. 36F AND 36G added, 1956, 527 § 4 (relative to the testing of cattle for brucellosis); revised, 1978, 485 § 2.

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; first sentence amended, 1980, 572 § 226; second sentence amended, 1975, 706 § 208. (See 1975, 706 § 312; 1980, 572 § 417.)

SECT. 39A added, 1971, 993 § 2 (requiring certain pet shop operators to obtain licenses from the director of animal health); first sentence amended, 1980, 572 § 227. (See 1980, 572 § 417.)

SECT. 40 revised, 1946, 416 § 1; amended, 1971, 312 § 2; first sentence amended, 1980, 572 § 228. (See 1980, 572 § 417.)

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).

SECT. 44A added, 1979, 566 (regulating the Coggin's test).

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 "Coastal Waters" amended, 1978, 119 § 6; 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, first paragraph revised, 1980, 444 § 1; 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. (See 1980, 444 § 3.)

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; revised, 1978, 234.

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; revised, 1978, 473 § 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; amended, 1978, 259.

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; section revised, 1980, 444 § 2. (See 1980, 444 § 3.)

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 contaminated 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; 1978, 293; section amended, 1980, 572 § 229. (See 1975, 706 § 312; 1980, 572 § 417.)

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; 1980, 572 § 230. (See 1970, 861 § 7; 1980, 572 § 417.)

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; repealed, 1978, 80.

SECTS. 100A AND 100B added, 1945, 264 § 2 (making permanent the law protecting striped bass). For prior temporary legislation see 1941, 421.

SECT. 100A revised, 1980, 215 § 1. (See 1980, 215 § 2.)

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; fifth paragraph, first sentence revised, 1979, 315 § 1. (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; 1980, 572 § 231; clause (3) revised, 1979, 614 § 1; clause (10) amended, 1975, 706 § 222; clause (12) amended, 1975, 706 § 223; clause (13A) added, 1979, 726 § 1; clause (15) added, 1968, 718. (See 1973, 1071 § 11; 1975, 706 § 312; 1980, 572 § 417.)

SECT. 5, first paragraph revised, 1979, 614 § 2; paragraph inserted after first paragraph, 1972, 422; second and third paragraphs revised, 1975, 706 § 224; fourth paragraph revised, 1979, 614 § 3. (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; paragraph revised, 1979, 767 § 1; third paragraph amended, 1973, 206; two sentences added, 1976, 178; paragraph revised, 1979, 767 § 2; fourth paragraph, second sentence revised, 1979, 767 § 3; sixth paragraph revised, 1979, 767 § 4; paragraph inserted after sixth paragraph, 1974, 420 § 1; seventh paragraph amended, 1973, 430 § 10; revised, 1976, 381; 1979, 767 § 5; section revised, 1980, 572 § 232. (See 1977, 983 § 3; 1979, 767 § 8; 1980, 572 § 417.)

SECT. 12 amended, 1972, 706 § 2; first sentence revised, 1975, 706 § 226; section revised, 1978, 113. (See 1975, 706 § 312.)

SECT. 13, second paragraph revised, 1979, 767 § 6; paragraph inserted after second paragraph, 1974, 420 § 2; paragraph added, 1968, 550; (See 1979, 767 § 8.)

SECT. 14, first paragraph amended, 1973, 925 § 52; clause (c) revised, 1973, 156 § 1; 1975, 217; paragraph revised, 1979, 767 § 7; second paragraph amended, 1975, 706 § 227; sentence added, 1979, 740; fourth paragraph revised, 1971, 60; 1973, 156 § 2. (See 1973, 925 § 84; 1975, 706 § 312; 1979, 767 § 8.)

SECT. 16 amended, 1972, 706 § 3; 1979, 587; first sentence amended, 1980, 572 § 233. (See 1980, 572 § 417.)

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; first paragraph, second sentence amended, 1980, 572 § 234; second paragraph amended, 1975, 706 § 228. (See 1971, 1071 § 11; 1975, 706 § 312; 1980, 572 § 417.)

SECT. 20 amended, 1972, 706 § 4; fourth sentence amended, 1975, 706 § 229; section revised, 1977, 921 § 1; first sentence amended, 1980, 572 § 235; fifth sentence amended, 1980, 572 § 236. (See 1975, 706 § 312; 1980, 572 § 417.)

SECT. 21 amended, 1972, 706 § 5; second sentence revised, 1980, 572 § 237. (See 1980, 572 § 417.)

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; ninth paragraph revised, 1980, 572 § 238; paragraph added, 1973, 1071 § 7. (See 1973, 1071 § 11; 1980, 572 § 417.)

SECT. 25 revised, 1973, 1071 § 8. first paragraph, second sentence amended, 1980, 572 § 239. (See 1973, 1071 § 11; 1980, 572 § 417.)

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; revised, 1979, 726 § 2. (See 1971, 876 § 2; 1972, 127 § 2.)

SECT. 27 amended, 1972, 706 § 6; amended, 1980, 572 § 240. (See 1980, 572 § 417.)

SECT. 28, first paragraph, clause 1 amended, 1972, 706 § 7; amended, 1980, 572 § 242; clause (2) amended, 1969, 17; 1972, 706 § 8; amended, 1980, 572 § 243; first sentence amended, 1980, 572 § 241. (See 1980, 572 § 417.)

SECT. 29 revised, 1972, 125; amended, 1972, 223 § 2.

SECT. 30 amended, 1975, 706 § 230; 1980, 572 § 244. (See 1975, 706 § 312; 1980, 572 § 417.)

SECT. 31 amended, 1972, 135; first paragraph, second sentence amended, 1980, 572 § 245; second paragraph clause (3) amended, 1972, 706 § 9; 1973, 496 § 6; revised, 1979, 110. (See 1980, 572 § 417.)

SECT. 32, third sentence amended, 1975, 706 § 231. (See 1975, 706 § 312.)

SECT. 33 revised, 1969, 280.

SECT. 34 revised, 1978, 276.

SECT. 38, third sentence amended, 1980, 572 § 246. (See 1980, 572 § 417.)

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, second sentence stricken out and three sentences inserted, 1979, 598; 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; third sentence amended, 1978, 119 § 7; twelfth paragraph, third sentence revised, 1975, 706 § 240; thirteenth paragraph revised, 1975, 706 § 241; first sentence revised, 1976, 53; second sentence revised, 1979, 122 § 1; fifth sentence revised, 1978, 95 § 1; eighth sentence revised, 1978, 95 § 2; fourteenth paragraph revised, 1978, 248; paragraph inserted after fourteenth paragraph, 1979, 200; fifteenth and sixteenth paragraphs revised, 1975, 706 § 242; seventeenth paragraph revised, 1975, 363 § 2; 1979, 693; eighteenth paragraph, second sentence stricken out, two sentences inserted, 1975, 363 § 3; third sentence revised, 1979, 122 § 2; 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; fifth paragraph amended, 1979, 315 § 2; 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; section revised, 1980, 154; paragraph added, 1980, 194. (See 1975, 706 § 312.)

SECT. 46 amended, 1975, 706 § 252. (See 1975, 706 § 312.)

SECT. 52, amended, 1980, 572 § 247. (See 1980, 572 § 417.)

SECT. 52A added, 1977, 971 § 3 (further regulating the taking of eels); first paragraph, second sentence revised, 1978, 473 § 2; fourth paragraph revised, 1978, 473 § 3.

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. 75 revised, 1979, 404.

SECT. 75A added, 1972, 445 § 1 (regulating the hunting or possession of certain birds or their eggs); amended, 1973, 496 § 8.

SECT. 80, first paragraph, third sentence revised, 1980, 572 § 248; fourth sentence revised, 1980, 84 § 1. (See 1980, 84 § 2; 572 § 417.)

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; seventh paragraph, first sentence revised, 1979, 726 § 3; eighth paragraph, first sentence revised, 1970, 224 § 2; eighth paragraph stricken out and two paragraphs inserted, 1977, 593; 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 sentence 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; last sentence amended, 1978, 514 § 201. (See 1978, 514 § 287.)

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 commonwealth 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; first paragraph, third sentence amended, 1980, 572 § 249. (See 1980, 572 § 417.)

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. 11A, third sentence revised, 1978, 433.

SECT. 11E added, 1980, 578 § 49 (relative to the renovation of certain lands for municipal parks and recreation purposes). (See 1980, 578 § 53.)

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 132B. — Massachusetts Pesticide Control Act.

New chapter inserted, 1978, 3 § 3.

Chapter 135. — Unclaimed and Abandoned Property.

SECT. 1 revised, 1947, 441 § 1.

SECTS. 2-4 repealed, 1947, 441 § 2.

SECT. 8 amended, 1938, 98 § 1; 1973, 640; sentence added, 1979, 221.

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 (29) revised, 1979, 296; clause (34) amended, 1965, 488; clause (37) revised, 1965, 243; clause (40) revised, 1969, 267; clause (44) added, 1965, 370; revised, 1970, 309; clause (45) added, 1967, 311; revised, 1970, 76; clause (46) added, 1968, 392; clause (47) added, 1972, 675; clause (48) added, 1974, 219; clause (49) added, 1975, 697; clause (50) added, 1977, 722.

SECT. 7, first paragraph revised, 1964, 384 § 1; second paragraph revised, 1978, 378 § 1.

SECT. 7A added, 1978, 378 § 1A (providing for appeal of denial of certain permits).

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; third paragraph revised, 1978, 378 § 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; definition of "Minor" stricken out, 1979, 15 § 1. (See 1941, 637 § 3; 1972, 155 § 5; 1979, 15 § 12.)

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; 1979, 15 § 2; 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; third sentence amended, 1979, 15 § 3; 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; seventh paragraph amended, 1979, 721; eighth paragraph stricken out, 1975, 396. (See 1943, 542 § 20; 1973, 241 § 4; 1979, 15 § 12.)

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; 1979, 15 § 4; paragraph added, 1935, 440 § 11. (See 1973, 241 § 4; 1979, 15 § 12.)

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; paragraph

revised, 1980, 318 § 1; 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; third paragraph revised, 1978, 225; paragraph in lines 77-105 amended, 1946, 305; 1953, 310; 1965, 570; 1968, 197 § 1A; 1970, 453 § 2; revised, 1978, 377 § 1; paragraph in lines 106-118 revised, 1939, 263; 1979, 764; 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. 17A added, 1978, 377 § 2 (providing for certain additional seasonal licenses).

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-winery 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; revised, 1978, 514 § 202. (See 1978, 514 § 287.)

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; amended, 1978, 514 § 203; first paragraph, first sentence revised, 1979, 481 § 10; clause (*e*) amended, 1980, 403 § 14; last paragraph, sentence added, 1979, 481 § 11. (See 1936, 411 § 2; 1939, 367 § 2; 1941, 637 § 3; 1947, 625 §§ 3, 4; 1966, 14 § 27, 698 § 87; 1978, 514 § 287; 1979, 481 § 13; 1980, 403 § 15.)

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; first sentence amended, 1980, 35; 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; section revised, 1979, 15 § 5. (See 1979, 15 § 12.)

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); revised, 1979, 350.

SECT. 33B addedd, 1979, 350 (relative to the sale of alcoholic beverages on certain Sundays).

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; 1979, 15 § 6; second sentence revised, 1980, 193. (See 1972, 155 § 5; 1979, 15 § 12.)

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; 1979, 15 § 7. (See 1979, 15 § 12.)

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; first two paragraphs revised, 1979, 15 § 8; third paragraph stricken out and two paragraphs inserted, 1967, 556. (See 1972, 155 § 5; 1979, 15 § 12.)

SECT. 34C added, 1966, 317 § 2 (prohibiting the transportation of alcoholic beverages by minors); sentence inserted after first sentence, 1967, 377; section revised, 1979, 15 § 9. (See 1979, 15 § 12.)

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; second sentence revised, 1979, 15 § 10. (See 1979, 15 § 12.)

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. 21A revised, 1979, 358 § 1.

SECT. 21C revised, 1979, 358 § 2.

SECTS. 21E AND 21F added, under caption, 1933, 284 (providing for the regulation of organizations dispensing food or beverages to members and guests).

SECT. 21E, last sentence revised, 1934, 328 § 16; affected, 1934, 328 § 17.

SECT. 22 amended, 1960, 740; revised, 1965, 171; revised, 1973, 481.

SECT. 22A added, 1970, 859 § 1 (authorizing the installation of kitchen and cooking facilities in certain lodging houses). (See 1970, 859 § 2.)

SECT. 23 revised, 1952, 577; 1974, 70. (See 1959, 250.)

SECT. 24, sentence added, 1980, 173.

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. 46F, first sentence revised, 1980, 572 § 250. (See 1980, 572 § 417.)

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, first sentence amended, 1979, 228; 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. 68 revised, 1980, 452.

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; section revised, 1980, 264 § 1. (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; third sentence revised, 1978, 346 § 2; 1980, 572 § 251. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; first two sentences revised, 1980, 572 § 252; amended, 1973, 1149 § 3; paragraph added, 1975, 187 § 2; second

paragraph, second sentence amended, 1980, 572 § 253. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; section revised, 1980, 264 § 2. (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; section revised, 1980, 264 § 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; sentence added, 1980, 353.

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; clause (*p*) revised, 1978, 551 § 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 and second sentences revised, 1969, 799 § 12; second sentence revised, 1973, 159.

SECT. 131F revised, 1959, 296 § 8; first paragraph, first sentence revised, 1978, 551 § 2; fourth sentence revised, 1980, 572 § 254; paragraph added, 1969, 799 § 12A. (See 1980, 572 § 417.)

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; third sentence revised, 1980, 572 § 255; second paragraph amended, 1973, 136; third paragraph amended, 1974, 706 § 282. (See 1975, 706 § 312; 1980, 572 § 417.)

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; two paragraphs inserted after first paragraph, 1979, 474 § 1; second paragraph amended, 1956, 78 § 1; last two sentences stricken out, 1956, 44 § 1; second and third paragraphs stricken out, 1980, 100 § 1.

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. 138A added, 1980, 430 (relative to the importation of dogs and cats and the sale of all dogs and cats).

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 antirabic vaccine); revised, 1934, 320 § 9; 1937, 375; last sentence revised, 1939, 42. (See 1934, 320 § 34.)

SECT. 145B added, 1969, 207 (relating to the vaccination of dogs against rabies); first paragraph revised, 1979, 474 § 2; 1980, 100 § 2.

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; paragraph added, 1978, 573.

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; section revised, 1978, 478 § 73. (See 1934, 320 § 34; 1978, 478 § 343.)

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; revised, 1978, 144.

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;

SECTS. 180A AND 180D stricken out and sections 180A-180G inserted, 1960, 666.

SECT. 180C, third paragraph amended, 1980, 572 § 256. (See 1980, 572 § 417.)

SECT. 181, paragraph added, 1971, 996; first paragraph stricken out and five paragraphs inserted, 1979, 358 § 3. 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; second sentence amended, 1980, 572 § 257. (See 1980, 572 § 417.)

SECT. 181B added, 1949, 132 (requiring the posting of the schedule of admission prices to travelling entertainments).

SECT. 182, first sentence revised, 1979, 358 § 4.

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. 185B amended, 1980, 572 § 258. (See 1980, 572 § 417.)

SECT. 185D amended, 1967, 126; revised, 1975, 213; 1980, 460.

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; first paragraph, fourth sentence amended, 1980, 572 § 259; second paragraph, fourth sentence revised, 1980, 572 § 260. (See 1980, 572 § 417.)

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; second paragraph revised, 1979, 708.

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 (*f* ½) inserted, 1978, 480 § 1; subsection stricken out, 1979, 111 § 1; subsection (*g* ½) inserted, 1977, 52 § 1; subsection (*g* ¾) inserted, 1978, 480 § 2; subsection (*j*) revised, 1977, 52 § 2; subsection (*k* ½) 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; subsection (*v* ½) inserted, 1978, 480 § 3; subsection stricken out, 1979, 111 § 2; subsections (*cc*), (*dd*) and (*ee*) added, 1978, 559 § 1. (See 1979, 111 § 10.)

SECT. 2, subsection (*e*) added, 1975, 592 § 1.

SECT. 3, subsection (*i*) added, 1975, 592 § 2; revised, 1977, 52 § 7; 1978, 559 § 2. (See 1975, 592 § 2.)

SECT. 4, subsection (*a*) amended, 1973, 802 § 1; first sentence stricken out and two sentences inserted, 1980, 191 § 1; subsection (*b*) revised, 1980, 191 § 2; subsection (*c*) revised, 1980, 191 § 3; subsections (*d*) and (*e*) stricken out, 1980, 191 § 4. (See 1980, 191 § 7.)

SECT. 5, subsection (*a*) revised, 1974, 17 § 2; subsection (*e*) revised, 1977, 980; subsection (*h* ½) inserted, 1978, 480 § 3A; subsection stricken out, 1979, 111 § 3; subsection (*i*) added, 1972, 229 § 1; subsection (*j*) added, 1975, 592 § 3; stricken out, 1977, 52 § 8; subsection (*k*) added, 1978, 75; subsection stricken out, 1979, 340. (See 1979, 111 § 10.)

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; clause (9) added, 1978, 480 § 4; stricken out, 1979, 111 § 4; subsection (*c*) revised, 1973, 802 § 4; clause (1) revised, 1977, 52 § 11; clause (2 ½) inserted, 1978, 480 § 5; stricken out, 1979, 111 § 5; 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; clause (2), subclause (*i*), first sentence revised, 1978, 559 § 3; clause (3), subclause (*ii*) revised, 1978, 559 § 4; first sentence revised, 1979, 111 § 6; clause (4) revised, 1978, 559 § 5; clause (7) stricken out, 1979, 111 § 7. (See 1975, 592 § 12; 1979, 111 § 10.)

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); subsection (*b*), clause (*i*) revised, 1978, 559 § 6.

SECT. 6F added, 1979, 160 § 1 (relative to the transfer of a depositor's funds by a bank or credit union).

SECT. 7, subsection (*a*) amended, 1975, 592 § 8; revised, 1977, 52 § 17; paragraph added, 1979, 271 § 1; subsection (*b*), clause (3) amended, 1974, 713 § 1; clause (7) revised, 1974, 17 § 3; clause (8) added, 1978, 559 § 7; first paragraph revised, 1979, 271 § 2; 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 (*g*) revised, 1979, 111 § 8; (See 1979, 111 § 10.) subsection (*n*) revised, 1977, 52 § 20; subsection (*o*) revised, 1972, 229 § 3; subsection (*p*) added, 1972, 229 § 4; subsection (*q*) added, 1977, 52 § 21; revised, 1979, 111 § 8. subsections (*r*) and (*s*) added, 1980, 191 § 5. (See 1980, 191 § 7.)

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. 9B added, 1978, 480 § 6 (providing for the correction of customer accounts); revised, 1979, 111 § 9. (See 1979, 111 § 10.)

SECT. 10, subsection (*b*) amended, 1972, 229 § 9; subsections (*e*), (*f*) and (*g*) added, 1975, 592 § 11; subsection (*h*) added, 1977, 429.

SECT. 10A added, 1979, 575 § 2 (requiring notices to certain guarantors). (See 1979, 575 § 3.)

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); second sentence revised, 1980, 572 § 261. (See 1980, 572 § 417.)

SECT. 3, clause (3) revised, 1954, 190 § 1; 1960, 723; amended, 1963, 491; revised, 1980, 572 § 262; clause (4) amended, 1934, 347 § 1; revised, 1959, 312 § 1; revised, 1967, 317; amended, 1972, 684 § 57; revised, 1980, 572 § 263; clause (5) amended, 1954, 190 § 2; revised, 1959, 312 § 2; amended, 1972, 684 § 58; revised, 1980, 572 § 264; clause (8) amended, 1948, 187. (See 1972, 684 § 136; 1980, 572 § 417.)

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; first sentence amended, 1980, 572 § 265; sentence added, 1979, 109. (See 1980, 572 § 417.)

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; 1980, 572 § 266. (See 1980, 572 § 417.)

SECT. 6 revised, 1934, 347 § 2; third sentence revised, 1965, 645 § 2; section revised, 1977, 843 § 7; last sentence amended, 1980, 572 § 267. (See 1980, 572 § 417.)

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; paragraph added, 1978, 289 § 1. (See 1954, 627 §§ 65, 67.)

SECT. 12 revised, 1977, 843 § 9; 1978, 560 § 1.

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; first paragraph revised, 1978, 249. (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.)

SECTS. 3A-3H added, 1943, 544 § 2 (providing for rules and regulations for protecting life and limb in places of assembly and for the enforcement of laws, rules and regulations, ordinances and by-laws for protecting the same therein). (See 1943, 544 §§ 7A and 8.)

SECT. 3A revised, 1945, 482 § 1; 1972, 802 § 16; 1974, 541 § 12; first paragraph, first sentence stricken out and two sentences inserted, 1975, 144 § 2; paragraph added, 1979, 617 § 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.)

SECTS. 3E AND 3F repealed, 1945, 645 § 3.

SECT. 3G revised, 1945, 482 § 3; 1946, 363 § 3. (See 1945, 722 § 2.)

SECT. 3H revised, 1945, 645 § 4; amended, 1968, 499 § 3.

SECTS. 3I-3K added, 1947, 631 § 1 (to provide regulations for the prevention of fire and the preservation of life, health and morals in buildings used for dwelling purposes and to provide for alternatives to the requirements of ordinances, by-laws or regulations relative to the construction, alteration, repair, use or occupancy of such buildings).

SECT. 3I amended, 1948, 438 § 1.

SECT. 3J amended, 1950, 534 § 1; first paragraph amended, 1955, 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.

SECTS. 3N AND 3O added, 1960, 737 § 2 (relative to rules and regulations governing gas fittings). (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

SECTS. 3N-3O added, 1960, 737 § 2 (relative to rules and regulations governing gas fittings). (See 1960, 737 §§ 3, 4, 5 and 7.)

SECT. 3R added, 1965, 464 § 1 (requiring that the main doors of certain apartment houses be designed or equipped to close and lock automati cally); sentence inserted after first sentence, 1967, 735 § 1; first sentence revised, 1969, 303 second paragraph revised, 1967, 142; paragraph added, 1968, 319; section revised, 1972, 802 § 21; second paragraph amended, 1974, 541 § 13. (See 1965, 464 § 2; 1967, 735 § 2; 1972, 802 § 77; 1974, 541 § 24.)

SECT. 3S added, 1967, 260 (requiring owners of multiple dwellings to post their names and addresses); revised, 1972, 493.

SECTS. 3T-3V added, 1971, 837 § 1 (requiring the use of safety glazing materials in the construction of certain buildings). (See 1971, 837 § 2; 1972, 131.)

SECT. 3T amended, 1973, 353.

SECT. 3W added, 1973, 418 (further regulating plans and specifications for the erection or alteration of public buildings).

SECT. 3X added, 1973, 1096 (providing for notice to local postmasters of the issuanc of building permits for ten or more residential units).

SECT. 3Y added, 1980, 85 (relative to the term of office of certain inspectors of buildings, building commissioners and local inspectors).

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; third sentence revised, 1979, 479. (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; revised, 1980, 572 § 268. (See 1980, 572 § 417.) (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; sentence added, 1978, 36. (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; second sentence amended, 1980, 572 § 269. (See 1980, 572 § 417.)

SECT. 71C revised, 1957, 637 § 3; paragraph (1) amended, 1972, 684 § 61. fourth sentence revised, 1980, 572 § 270; eighth sentence stricken out, 1980, 572 § 271. (See 1972, 684 § 136; 1980, 572 § 417.)

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; 1980, 324 § 2. (See 1980, 324 § 3.)

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; last sentence amended, 1980, 572 § 272. (See 1968, 373 § 6; 1980, 572 § 417.)

SECTS. 71H-71O added, under caption, 1968, 565 § 1 (creating a recreational tramway board).

SECT. 71I, amended, 1978, 455 § 1; definitions of "Skier", "Ski area", "Ski area operator" and "Ski slope or trail" added, 1978, 455 § 2.

SECT. 71J, two sentences inserted after first sentence, 1978, 455 § 3.

SECT. 71L revised, 1980, 572 § 273. (See 1980, 572 § 417.)

SECTS. 71N-71O revised, 1978, 455 § 4. (See 1978, 455 § 5.)

SECTS. 71P-71S added, 1978, 455 § 4.

SECTS. 72-73 revised, 1971, 772 § 1.

SECT. 74 revised, 1941, 553 § 1; 1971, 772 § 1; 1980, 572 § 274. (See 1941, 553 § 9; 1980, 572 § 417.)

SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112; 1968, 227 § 1; 1971, 772 § 2; amended, 1973, 925 § 54; last two sentences revised, 1980, 572 § 275. (See 1941, 553 § 9; 1973, 925 § 54; 1980, 572 § 417.)

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; last sentence revised, 1980, 572 § 276. (See 1941, 553 § 9; 1980, 572 § 417.)

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; first two sentences stricken out and three sentences inserted, 1980, 572 § 277. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 34 revised, 1938, 319 § 1; sentence inserted after first sentence, 1962, 139; sentence added, 1947, 620; revised, 1948, 146; paragraph added, 1978, 212.

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; 1980, 572 § 278. (See 1972, 684 § 136; 1980, 572 § 417.)

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; first paragraph, last sentence revised, 1980, 572 § 279. (See 1972, 684 § 136; 1980, 572 § 417.)

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; last paragraph revised, 1980, 572 § 281. (See 1980, 572 § 417.)

SECT. 50A added, 1971, 605 (establishing the eligibility requirements for licensing certain nuclear steam power plant operators and engineers); fifth paragraph, fourth sentence amended, 1980, 572 § 280; last paragraph revised, 1980, 572 § 281. (See 1980, 572 § 417.)

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; second sentence revised, 1980, 572 § 282; last sentence revised, 1980, 572 § 283. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 59 amended, 1971, 342; last sentence revised, 1980, 572 § 284. (See 1980, 572 § 417.)

SECT. 60 amended, 1951, 398; 1972, 684 § 66; revised, 1975, 748 § 2; amended, 1980, 572 § 285. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 61 revised, 1975, 748 § 3.

SECT. 62 revised, 1971, 363; third paragraph amended, 1975, 523; section revised, 1975, 748 § 4; first paragraph, second sentence amended, 1980, 572 § 286; third paragraph, third sentence amended, 1980, 572 § 287. (See 1980, 572 § 417.)

SECT. 63 amended, 1952, 154; 1975, 524; first sentence amended, 1980, 572 § 288. (See 1980, 572 § 417.)

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; revised, 1980, 572 § 289. (See 1941, 525 § 2; 1972, 684 § 136; 1980, 572 § 417.)

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).

SECT. 71, last paragraph, first sentence revised, 1980, 572 § 290. (See 1980, 572 § 417.)

SECTS. 81-85 added, 1975, 699 § 1; stricken out, 1977, 990 § 2; sections 81-88 inserted, 1977, 990 § 2. (See 1975, 699 § 2.)

SECT. 83, second paragraph revised, 1978, 34 § 1A.

SECT. 85, third paragraph, first two sentences revised, 1978, 34 § 1B; revised, 1980, 572 § 291. (See 1980, 572 § 417.)

SECT. 86 revised, 1978, 34 § 1C.

SECT. 88 revised, 1978, 34 § 1D.

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*) amended, 1969, 749 § 2; subdivision (*b*) amended, 1972, 805 § 7; subdivision (*d*) added, 1956, 365; section revised, 1973, 793 § 3.

SECT. 4D added, 1969, 434 § 1 (authorizing the department of public safety to make drug analyses and to issue certificates of the results which shall be prima facie evidence thereof). (See 1969, 434 § 2.)

SECT. 4E added, 1969, 749 § 3 (establishing the functions and duties of the narcotics unit of the state police criminal information bureau); revised, 1969, 889 § 23B; 1973, 793 § 4.

SECT. 4F added, 1972, 252 (qualifying the certificate of a chemist of the department of public safety as prima facie evidence of an analysis as to presence of sperm cells).

SECT. 4G added, 1980, 463 § 1 (facilitating the investigation and prosecution for motor vehicle thefts and insurance fraud).

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; second paragraph revised, 1980, 572 § 292. (See 1980, 572 § 417.)

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 Sanitorium 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. 10L added, 1980, 399 (authorizing the commissioner of public safety to establish certain rules and regulations).

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 added, 1969, 872 § 1 (providing overtime compensation for regular city, town and metropolitan district commission police).

SECT. 21A added, under caption, 1967, 430 (authorizing employment of police cadets); third sentence revised, 1979, 158.

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, 738 § 3; second paragraph, sentence inserted after first sentence, 1970, 43.

SECT. 26 amended, 1972, 684 § 68; first sentence revised, 1980, 572 § 293. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 28, paragraph added, 1968, 22.

SECT. 29, first paragraph, sentence inserted after second sentence, 1970, 42; paragraph inserted after first paragraph, 1979, 550.

SECT. 29A added, 1973, 228 (requiring agencies employing armed guards to keep certain records).

SECT. 32 revised, 1935, 262 § 1; third sentence revised, 1980, 572 § 294. (See 1980, 572 § 417.)

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69; 1948, 199; amended, 1973, 1214 § 1; first sentence amended, 1980, 572 § 295. (See 1980, 572 § 417.)

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); revised, 1978, 63.

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 devises). (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; first sentence revised, 1978, 35.

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; revised, 1979, 516.

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); revised, 1978, 295.

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; second sentence revised, 1980, 572 § 296; fifth sentence stricken out and four sentences inserted, 1968, 373 § 3; fifth sentence amended, 1972, 684 § 70; revised, 1977, 118 § 2; sixth sentence amended, 1980, 572 § 297. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 10E, first sentence amended, 1980, 572 § 298; second sentence stricken out and four sentences inserted, 1968, 373 § 4; second sentence amended, 1980, 572 § 299. (See 1980, 572 § 417.)

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; 1978, 434; 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; 1980, 572 § 300; sixth sentence stricken out and four sentences inserted, 1968, 373 § 2; sixth sentence amended, 1972, 684 § 72; 1980, 572 § 301; last sentence amended, 1980, 572 § 302. (See 1967, 532 § 2; 1972, 684 § 136; 1980, 572 § 417.)

SECT. 20C added, 1972, 333 (establishing liability for damages caused by blasting without proof of negligence).

SECT. 21 amended, 1945, 710 § 9.

SECT. 22 amended, 1945, 710 § 10.

SECT. 23 amended, 1935, 123 § 2; first sentence revised, 1964, 155.

SECT. 23A added, 1948, 188 (prohibiting the use of inflammable anti-freeze solutions in fire hydrants).

SECT. 25A added, 1962, 688 § 1 (prohibiting the sale or installation of secondhand space heaters and secondhand portable stoves in buildings used for human habitation).

SECT. 25B added, 1962, 688 § 2 (prohibiting the use of space heaters in buildings used for human habitation).

SECT. 25C added, 1970, 29 (relative to the sale of certain decorating candles).

SECT. 25D added, 1973, 648 (regulating the manufacture and sale of certain types of children's clothing and sleepwear).

SECT. 26 amended, 1945, 481.

SECT. 26A added, 1973, 395 § 1 (requiring sprinkler systems in high rise buildings); 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. 26D-26F added, 1979, 712 § 1 (requiring the installation of smoke detectors in certain residential buildings and structures). (See 1979, 712 § 2.)

SECT. 27 amended, 1973, 395 § 2.

SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency); third sentence revised, 1978, 297.

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; section revised, 1980, 462 § 2. (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; amended, 1978, 296.

SECT. 31 amended, 1945, 460.

SECT. 32 revised, 1978, 446 § 1; sentence added, 1979, 195; third paragraph revised, 1980, 121. (See 1978, 446 § 8.)

SECT. 34 revised, 1978, 396.

SECT. 37 paragraph added, 1977, 523; second paragraph, second sentence amended, 1980, 572 § 303. (See 1980, 572 § 417.)

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).

SECT. 58 added, 1978, 112 (regulating the installing and servicing of certain fire extinguishers); first paragraph, clause (*c*), revised, 1979, 82.

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, 760 § 3.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; first paragraph amended, 1970, 760 § 4; two paragraphs added, 1952, 155; third paragraph amended, 1961, 224; 1962, 710; paragraph added, 1954, 680 § 7. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 10 amended, 1970, 760 § 5.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430; revised, 1961, 585; amended, 1970, 760 § 6; revised, 1980, 131 § 1.

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 strikebreaking).

SECT. 23, first paragraph amended, 1951, 166 § 2; second paragraph amended, 1935, 114; revised, 1970, 213.

SECT. 23A added, 1934, 233 (regulating the employment of armed guards in connection with strikes, 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. 24A revised, 1978, 142.

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; 1978, 155 § 1; 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 leaves of absence 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.)

SECT. 44, first sentence revised, 1978, 393 § 38. (See 1978, 393 § 45.)

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. 44A-44L, inclusive, stricken out and sections 44A-44I inserted, 1980, 579 § 59. (See 1980, 579 § 66.)

SECT. 44M added, 1976, 433 § 1 (requiring estimates to be taken for solar and wind energy utilization for state construction); revised, 1979, 796 § 15. (See 1979, 796 § 35.)

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; repealed, 1980, 131 § 2.

SECT. 53A added, 1968, 331 § 2 (limiting weight permitted to be lifted by female employees); repealed, 1980, 131 § 2.

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; first paragraph revised, 1980, 131 § 3; paragraph added, 1946, 241 § 1. (See 1941, 610 §§ 2, 3.)

SECT. 57 amended, 1932, 110 § 2.

SECT. 58 revised, 1980, 131 § 4.

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. 62A added, 1967, 165; paragraph added, 1974, 248.

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. 102 revised, 1980, 131 § 5.

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; first sentence revised, 1980, 131 § 6.

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. 137, first sentence revised, 1980, 131 § 7.

SECT. 139 amended, 1955, 92.

SECT. 140 repealed, 1953, 57.

SECT. 141, third sentence revised, 1980, 131 § 8.

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; 1980, 572 § 304. (See 1955, 764 § 13; 1980, 572 § 417.)

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; paragraph inserted, 1979, 633; 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 gratituities received during the course of employment); sentence added, 1966, 350; section revised, 1980, 301.

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).

SECTS. 158 AND 158A revised, 1980, 131 § 9.

SECT. 159A added, 1937, 342 § 1 (to prevent the misleading of patrons of certain places as to the beneficiaries of tips given to hatcheck 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).

SECT. 179C added, 1979, 484 (providing that certain labor contracts shall continue in effect and be binding upon successor employers).

SECT. 181 added, 1979, 537 (providing a penalty for the failure of certain employers to make payments into retirement or health and welfare funds).

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; second sentence revised, 1980, 572 § 305. (See 1980, 572 § 417.)

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; revised, 1978, 478 § 74; third sentence revised, 1980, 329 § 124; definition of "Incremental costs items" inserted, 1976, 480 § 20. (See 1978, 478 § 343; 1980, 329 § 133.)

SECT. 3, first paragraph, second sentence revised, 1974, 526; second paragraph amended, 1978, 478 § 75; revised, 1979, 393 § 71; paragraph added, 1975, 591; sentence added, 1977, 278 § 3; paragraph added, 1977, 753; 937 § 2; second sentence revised, 1978, 478 § 76. (See 1978, 478 § 343; 1979, 393 § 72.)

SECT. 4, first paragraph sentence added, 1978, 562.

SECT. 7, first paragraph amended, 1974, 589 § 1; section revised, 1976, 480 § 21; 1977, 278 § 4; paragraph (*a*) amended, 1979, 342 § 13B; paragraphs (*b*) and (*c*) revised, 1977, 937 § 3; paragraph (*b*), first sentence revised, 1980, 329 § 125; paragraph (*c*) revised, 1980, 329 § 126; paragraph (*d*) revised, 1978, 478 § 77; amended, 1980, 354 § 17A. (See 1978, 478 § 343; 1979, 342 § 19; 1980, 329 § 133.)

SECT. 8 amended, 1978, 393 § 39. (See 1978, 393 § 45.)

SECT. 9 revised, 1977, 347 § 1; fifth paragraph revised, 1979, 594 § 1.

SECT. 10, paragraph (*b*) revised, 1974, 589 § 2.

SECT. 11, fourth paragraph amended, 1974, 589 § 3; third paragraph, eighth sentence stricken out and three sentences inserted, 1977, 788.

SECT. 12, second sentence stricken out and two paragraphs inserted, 1977, 903.

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; third sentence revised, 1978, 82.

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, 1976, 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; paragraphs (1) and (2) revised, 1979, 788; 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. subsection (*a*), second paragraph amended, 1979, 642 § 1. (See 1971, 940 § 22; 1977, 720 § 38.)

SECT. 14C, subsection (*j*) amended, 1979, 642 § 2;

SECT. 15, subsection (*a*) amended, 1950, 232; 1972, 465 § 1; subsection (*b*) revised, 1948, 603 § 6; subsection (*c*) revised, 1943, 373; 1979, 642 § 3; subsection (*d*) amended, 1978, 478 § 78; subsection (*e*) added, 1968, 533; amended, 1969, 174; paragraph (2) revised, 1979, 642 § 4. (See 1972, 465 § 2; 1978, 478 § 343.)

SECT. 16 amended, 1976, 473 § 7. (See 1976, 473 § 20.)

SECT. 18, first paragraph revised, 1966, 560 § 3; second paragraph amended, 1979, 642 § 5.

SECT. 22, sentence added, 1945, 625 § 2; last sentence stricken out, 1979, 746.

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, 93 § 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; clause (4) stricken out, 1980, 131 § 10; 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; paragraph (6) added, 1980, 518 § 1. (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* ½) 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; subsection (*e*) added, 1979, 642 § 6. (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; amended,

1978, 478 § 79. (See 1951, 763 § 22; 1954, 681 §§ 20, 22; 1973, 1114 § 351; 1975, 377 § 164; 1976, 473 § 20; 1978, 478 § 343.)

SECT. 42B added, 1971, 957 § 4 (providing for recovery of benefits erroneously paid to a claimant).

SECT. 44, subsection (*b*) revised, 1948, 603 § 4.

SECT. 45A added, 1954, 655 (requiring an employer to furnish an employee with a wage report; 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; third sentence revised, 1978, 367 § 54D. (See 1978, 367 § 72.)

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. 68 amended, 1980, 230.

SECT. 69, paragraph added, 1949, 555; section revised, 1951, 763 § 20; paragraph (*a*) amended, 1979, 642 § 7. (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. 72 first paragraph revised, 1979, 642 § 8.

SECT. 74 revised, 1949, 290.

Chapter 151B. — Unlawful Discrimination Because Of Race, Color, Religious Creed, National Origin, Ancestry Or Sex (former title, Unlawful Discrimination Against Race, Color, Religious Creed, National Origin or Ancestry)

New chapter inserted, 1946, 368 § 4.

Title changed, 1978, 127 § 1.

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; subsection 15 added, 1979, 710 § 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; revised, 1978, 288 § 1; subsection 6 added, 1957, 426 § 2; amended, 1959, 239 § 2; revised, 1961, 128; 1969, 90; clause (b) revised, 1978, § 89; 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; amended, 1979, 710 § 2; subsection 11A inserted, 1972, 790 § 2; revised, 1980, 343; 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; revised, 1978, 288 § 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 sentences inserted after tenth sentence, 1968, 727; paragraph amended, 1969, 751 § 11; paragraph added, 1965, 569; amended, 1969, 751 § 12.

SECT. 6 amended, 1957, 426 § 5; seventh sentence revised, 1954, 681 § 13. (See 1954, 681 §§ 20, 22.)

SECT. 7 amended, 1963, 613 § 3; 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; revised, 1978, 458 § 1; 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 (*d*), second paragraph, first sentence amended, 1980, 572 § 306; subsection (*f*), first paragraph amended, 1974, 641 § 10; second paragraph, first sentence amended, 1974, 641 § 11; third sentence amended, 1974, 641 § 12. (See 1980, 572 § 417.)

SECT. 3A amended, 1974, 641 §§ 13, 14.

SECT. 5, first sentence revised, 1974, 641 § 15; section revised, 1980, 572 § 307. (See 1980, 572 § 417.)

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; 1979, 483; amended, 1980, 283. (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); repealed, 1979, 67.

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; amended, 1978, 348 § 1.

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; amended, 1978, 348 § 2; second paragraph revised, 1978, 478 § 80. (See 1939, 213 § 2; 1978, 478 § 343.)

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; 1978, 424; third sentence revised, 1979, 66. (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; second sentence revised, 1980, 488; sentence added, 1971, 941 § 1.

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; sentence added, 1979, 155.

SECT. 30 revised, 1936, 164; 1943, 181; 233 § 1; first sentence revised, 1972, 403; sentence added, 1948, 159; section amended, 1953, 314 § 6. (See 1946, 233 § 2.)

SECTS. 30A-30C added, 1950, 767 § 2 (prescribing duties of the rehabilitation commission in the department of industrial accidents).

SECT. 30A amended, 1952, 630 § 11; first sentence revised, 1956, 602 § 14. (See 1956, 602 §§ 17-20.)

SECT. 30B amended, 1953, 314 § 6; revised, 1956, 602 § 15; third paragraph amended, 1971, 773. (See 1956, 602 §§ 17-20.)

SECT. 30D added, 1956, 602 § 16 (relative to the furnishing of certain information to the industrial accident rehabilitation board by self insurers and insurers).

SECT. 31, first paragraph amended, 1934, 250; 1950, 738 § 2; 1955, 174 § 5; second paragraph revised, 1937, 325; amended, 1943, 368; revised, 1945, 572; 1948, 666; 1950, 357; amended, 1955, 174 § 5; revised, 1956, 588; 1959, 530; 1961, 541; 1964, 446; amended, 1970, 860; 1974, 438 § 1; third paragraph revised, 1943, 400; amended, 1950, 738 § 3; revised, 1951, 98; amended, 1955, 174 § 5; revised, 1961, 503; section revised, 1978, 461 § 1. (See 1974, 438 § 3; 1978, 461 § 2.)

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; 1978, 425.

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 (*b*) revised, 1979, 739; 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; 1980, 322 § 1.

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. 52C, subsection (*a*), fifth sentence amended, 1980, 572 § 308. (See 1980, 572 § 417.)

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; revised, 1978, 487 § 22; 1980, 556 § 21.

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 silocosis 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; 1978, 514 § 204. (See 1978, 514 § 287.)

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); second paragraph, first sentence amended, 1980, 572 § 309; last paragraph amended, 1980, 572 § 310. (See 1980, 572 § 417.)

SECT. 10 amended, 1933, 11; third sentence revised, 1943, 549 § 4; fifth sentence revised, 1957, 698 § 2; section revised, 1962, 750 § 10; fifth sentence revised, 1980, 572 § 311. (See 1980, 572 § 417.)

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 interinsurance 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; amended, 1978, 514 § 205. (See 1978, 514 § 287.)

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; revised, 1980, 141 § 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; 1980, 572 § 312. (See 1972, 684 § 136; 1980, 572 § 417.)

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; 1978, 491 § 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; fourth paragraph revised, 1980, 572 § 313; sixth paragraph amended, 1959, 180 § 2. (See 1980, 572 § 417.)

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; third and fourth paragraphs stricken out and one paragraph inserted 1980, 572 § 314; fifth paragraph amended, 1959, 180 § 3. (See 1963, 141; 1980, 572 § 417.)

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); amended, 1980, 572 § 315. (See 1980, 572 § 417.)

SECT. 47 revised, 1962, 467 § 1; amended, 1962, 750 § 27; clause 5 stricken out, 1977, 98 § 2; section amended, 1978, 491 § 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; revised, 1980, 572 § 316. (See 1980, 572 § 417.) (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; revised, 1980, 572 § 317. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 55 amended, 1952, 314; revised, 1955, 338; amended, 1957, 698 § 4; 1972, 684 § 80; 1980, 572 § 318. (See 1972, 684 § 136; 1980, 572 § 417.)

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, 1973, 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; third sentence revised, 1980, 572 § 319. (See 1980, 572 § 417.)

SECT. 15, third sentence amended, 1980, 572 § 320. (See 1980, 572 § 417.)

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; revised, 1980, 572 § 321. (See 1965, 685 § 57; 1980, 572 § 417.)

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. 15 revised, 1980, 141 § 2.

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, 685 § 15. (See 1965, 685 § 57.)

SECT. 36 amended, 1965, 685 § 16. (See 1965, 685 § 57.)

SECT. 37 revised, 1969, 392 § 12.

SECT. 39 revised, 1965, 685 § 17. (See 1965, 685 § 57.)

SECT. 41 amended, 1965, 685 § 18. (See 1965, 685 § 57.)

SECT. 42, paragraph added, 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; 1978, 491 § 3. (See 1965, 685 § 57.)

SECT. 65, sentence added, 1969, 392 § 16.

SECTS. 61-66 revised, 1980, 265.

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; revised, 1980, 494. (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; first paragraph amended, 1980, 365 § 1; subsection (*e*) amended, 1965, 685 § 33; revised, 1974, 350 § 3; 1980, 245 § 1. (See 1965, 685 § 57.)

SECT. 79, subsection (*c*) amended, 1965, 685 § 33A; 1969, 392 § 21; 1980, 365 § 2. subsection (*d*) amended, 1965, 685 § 34; revised, 1974, 350 § 4; 1980, 245 § 2. (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; 1980, 365 § 3; subsection (*e*) amended, 1965, 685 § 38. (See 1965, 685 § 57.)

SECT. 83, subsection (*d*) amended, 1965, 685 § 38A; 1980, 365 § 4; 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; 1978, 514 § 206; clause (*b*) revised, 1979, 454 § 1; clause (*c*), subclause (4) revised, 1979, 454 § 2; clause (*d*) amended, 1978, 514 § 207; clauses (*d*), (*e*) and (*f*) stricken out and clauses (*d*) and (*e*) inserted, 1979, 454 § 3. (See 1978, 514 § 287.)

SECT. 101 amended, 1978, 514 § 208; revised, 1979, 454 § 4. (See 1978, 514 § 287.)

SECT. 102 revised, 1978, 389.

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; amended, 1979, 454 § 5. (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; section amended, 1978, 491 § 4; introductory paragraph revised, 1980, 214 § 1; second paragraph stricken out, 1978, 491 § 4A. (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, 1972, 684 § 83; paragraph (2) amended, 1972, 684 § 84; paragraph (3) amended, 1972, 684 § 85; paragraph (4) amended, 1972, 684 § 86; paragraph (5) revised, 1965, 685 § 53; 1966, 347 § 2; amended, 1972, 684 § 87; subsection (*c*) amended, 1972, 684 § 88; subsection (*d*), paragraph (1) amended, 1972, 684 § 89; paragraph (2) amended, 1972, 684 § 90; paragraph (3) amended, 1972, 684 § 91; paragraph (4) amended, 1972, 684 § 92; paragraph (5) amended, 1972, 684 § 93; subsection (*e*) amended, 1972, 684 § 94; subsections (*f*), (*g*) and (*h*) inserted, 1965, 685 § 54; subsection (*f*) amended, 1972, 684 § 95; subsection (*g*) amended, 1972, 684 § 96; section revised, 1980, 572 § 322. (See 1965, 685 § 57; 1972, 684 § 136; 1980, 572 § 417.)

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; last sentence amended, 1980, 572 § 323. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 8 amended, 1962, 750 § 32.

SECT. 9 amended, 1949, 378 § 6; 1957, 698 § 6; 1971, 317 § 3; 1972, 684 § 98; revised, 1980, 572 § 324. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 13 amended, 1954, 23.

SECT. 16, last sentence amended, 1932, 180 § 31.

SECT. 18, last sentence amended, 1980, 572 § 325. (See 1980, 572 § 417.)

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; paragraph added after first paragraph, 1980, 484; third paragraph amended, 1978, 514 § 209; second sentence revised, 1979, 324. (See 1978, 514 § 287.)

SECT. 33 amended, 1962, 750 § 35.

SECT. 36 amended, 1962, 750 § 36.

SECT. 37 amended, 1962, 750 § 37; revised, 1977, 98 § 7; 1978, 491 § 5.

SECT. 38 amended, 1962, 750 § 38.

SECT. 39 amended, 1962, 750 § 39; last sentence amended, 1980, 572 § 326. (See 1980, 572 § 417.)

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; revised, 1980, 572 § 327. (See 1972, 684 § 136; 1980, 572 § 417.)

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. 12B, first paragraph, third sentence amended, 1980, 572 § 328. (See 1980, 572 § 417.)

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. 19 amended, 1979, 218.

SECT. 20 amended, 1939, 18; 1973, 816 § 1.

SECT. 21, sentence inserted after first sentence, 1946, 214.

SECT. 24, second sentence revised, 1945, 647 § 1.

SECT. 27 revised, 1945, 647 § 2.

SECT. 28 revised, 1945, 647 § 3.

SECT. 29 revised, 1945, 647 § 4.

SECT. 30 revised, 1945, 647 § 5.

SECT. 32, first sentence revised, 1945, 199.

SECT. 34A added, 1945, 577 (relative to affiliated companies of common carriers); paragraph (*e*) revised, 1974, 128; paragraph (*f*) added, 1974, 128.

SECTS. 55-56 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 59 revised, 1933, 326 § 1.

SECT. 60 amended, 1933, 326 § 2; 1941, 233.

SECT. 61 amended, 1933, 326 § 3; 1946, 437 § 1.

SECT. 62 amended, 1933, 326 § 4; 1946, 437 § 2.

SECT. 63 amended, 1946, 437 § 3.

SECT. 65 amended, 1937, 270.

SECT. 70 revised, 1934, 357 § 1.

SECT. 80 amended, 1934, 357 § 2.

SECT. 83 amended, 1970, 284.

SECT. 89 revised, 1936, 363 § 1; amended, 1951, 24 § 1; 1953, 42 § 1; repealed, 1964, 400 § 2. (See 1953, 42 § 4.)

SECT. 90 revised, 1936, 363 § 2; amended, 1951, 24 § 2; repealed, 1964, 400 § 2.

SECT. 91 revised, 1936, 363 § 3; repealed, 1964, 400 § 2.

SECT. 92 amended, 1936, 363 § 4; 1951, 24 § 3; revised, 1964, 400 § 3.

SECT. 93, first sentence amended, 1936, 363 § 5; 1951, 24 § 4; 1971, 1076 § 13; sentence added, 1962, 362; 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; first paragraph, third sentence revised, 1980, 572 § 329; paragraph added, 1975, 740. (See 1980, 572 § 417.)

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; 1980, 572 § 330; paragraph added, 1973, 236 § 2. (See 1980, 572 § 417.)

SECT. 9, first sentence revised, 1969, 349; second sentence revised, 1969, 669; 1971, 540; 1972, 197; 1975, 142; third sentence revised, 1968, 325; 1980, 572 § 331. (See 1980, 572 § 417.)

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; second sentence revised, 1980, 370; 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; last paragraph revised, 1980, 68. (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.

SECT. 17 added, 1979, 588 (providing a penalty for wrongfully interfering with the operation of certain motor vehicles). stricken out, 1980, 261 § 27A.

SECT. 31 added, 1980, 261 § 27A (providing a penalty for wrongfully interfering with the operation of certain motor vehicles).

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 (*a*), last sentence amended, 1980, 572 § 332; 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; 1980, 572 § 417.)

SECT. 4, second paragraph revised, 1945, 400 § 3; 1966, 196 § 1; third paragraph revised, 1941, 592 § 2; last sentence amended, 1980, 572 § 333; fifth paragraph revised, 1966, 196 § 2; paragraph added, 1951, 384 § 1. (See 1951, 384 § 2; 1980, 572 § 417.)

SECT. 5, third paragraph amended, 1959, 543 § 2; revised, 1966, 424; 1980, 572 § 335; subsection (*b*), last sentence amended, 1980, 572 § 334. (See 1980, 572 § 417.)

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; fourth sentence amended, 1980, 572 § 336; fifth sentence amended, 1980, 572 § 337. (See 1972, 684 § 136; 1980, 572 § 417.)

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; first paragraph, second sentence revised, 1980, 572 § 338; second and third paragraphs revised, 1974, 595; second paragraph, first sentence stricken out and two sentences inserted, 1980, 572 § 339; fourth paragraph, second sentence amended, 1980, 572 § 340; seventh paragraph amended, 1974, 594; 1980, 572 § 341. (See 1980, 572 § 417.)

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; first paragraph revised, 1980, 572 § 342; paragraph added, 1967, 43; paragraph added, 1968, 289 § 2. (See 1980, 572 § 417.)

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; last sentence revised, 1980, 572 § 343. (See 1980, 572 § 417.)

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; third paragraph, second sentence amended, 1980, 572 § 344; last paragraph, first sentence stricken out and two sentences inserted, 1967, 42; last sentence amended, 1980, 572 § 345. (See 1980, 572 § 417.)

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); last sentence amended, 1980, 572 § 346. (See 1941, 704 § 4; 1980, 572 § 417.)

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. 7 amended, 1979, 480 § 23.

SECT. 24, first paragraph, second sentence amended, 1980, 572 § 347. (See 1980, 572 § 417.)

SECT. 38 revised, 1946, 226.

SECT. 44 amended, 1978, 514 § 210. (See 1978, 514 § 287.)

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. 163B added, 1979, 148 § 2 (relative to safety doors and windows in railroad passenger cars).

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. 9, first paragraph, second sentence amended, 1980, 572 § 348. (See 1980, 572 § 417.)

SECT. 20A amended, 1939, 28.

SECT. 34 amended, 1978, 514 § 211. (See 1978, 514 § 287.)

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); first paragraph, sixth sentence amended, 1980, 572 § 349. (See 1980, 572 § 417.)

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); repealed, 1980, 581 § 1.

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; 1980, 581 § 2; paragraph (*f*) amended, 1979, 480 § 13; 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* ½) inserted after subsection (*e*), 1969, 574 § 1; subsection (*e* ¾) inserted, 1971, 1100; subsection (*f* ½) 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; subsection (*n*) added, 1979, 345; subsection (*o*) added, 1979, 545 § 2. (See 1969, 574 § 2; 1973, 1140 § 30.)

SECT. 5A added, 1979, 731 (relative to the sale of prepaid monthly passes for use on mass transit facilities).

SECT. 6, second sentence stricken out and two sentences inserted, 1968, 282; sentence added, 1965, 323 § 1; section revised, 1973, 1140 § 10; 1980, 581 § 3. (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; amended, 1979, 393 § 70. (See 1973, 1140 § 30; 1979, 393 § 73.)

SECT. 7A added, 1980, 581 § 4 (relative to advisory board membership of governor or his designee).

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. 11A added, 1980, 581 § 5 (relative to agreements with private bus carriers).

SECT. 12, second paragraph revised, 1965, 650 § 1; third paragraph amended, 1980, 581 § 6; fifth paragraph amended, 1971, 1075 § 2.

SECT. 12A added, 1976, 4 § 15 (relative to the issuance of certain notes); subsection (*a*) amended, 1980, 581 § 7.

SECT. 13, last paragraph stricken out, 1965, 650 § 2.

SECT. 19, second sentence revised, 1978, 405 § 1; third sentence revised, 1977, 970 § 2; section amended, 1980, 581 § 8. (See 1978, 405 § 5.)

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).

SECTS. 19C-19G added, 1978, 405 § 2 (providing arbitration procedures between employee organizations and the Massachusetts Bay Transportation Authority). (See 1978, 405 § 5.)

SECT. 19F, paragraph 8 revised, 1980, 581 § 9.

SECT. 23, first paragraph amended, 1971, 1075 § 3; revised, 1979, 480 § 14; second paragraph amended, 1980, 581 § 10; 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; 1980, 581 § 11; 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; 1979, 480 § 15; 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.)

SECT. 29 revised, 1980, 581 § 12.

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; stricken out, and sections 9 and 9A added, 1980, 492.

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.

SECT. 4 amended, 1978, 462 § 1.

SECT. 5 revised, 1978, 462 § 2.

SECT. 6, paragraph (*c*), sentence inserted after second sentence, 1978, 462 § 3; paragraph (*f*) added, 1978, 462 § 4.

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; 1980, 572 § 350. (See 1973, 860 § 27; 1980, 572 § 417.)

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; first paragraph, first sentence revised, 1978, 301.

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. 57C added, 1978, 317 (providing for the appropriation from certain funds in the insurance escrow account of a municipal lighting plant).

SECT. 58, sentence added, 1964, 401.

SECT. 58A amended, 1971, 452.

SECTS. 58B-58F added, 1980, 551 (authorizing a municipal lighting plant to obtain a lien upon real estate for nonpayment of gas, electric, or steam service).

SECT. 59 revised, 1953, 502.

SECT. 64 repealed, 1978, 512 § 13. (See 1978, 512 § 16.)

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; second paragraph, first sentence revised, 1978, 153 § 1.

SECT. 69D, fourth paragraph revised, 1978, 153 § 2.

SECT. 69E amended, 1958, 564 § 4.

SECTS. 69A-69E, inclusive, added by 1958, 311, renumbered sections 69B-69F, inclusive, 1958, 564 § 5.

SECT. 69D, fourth paragraph revised, 1959, 58.

SECT. 69E revised, 1964, 94; amended, 1974, 745, 835, § 158. (See 1974, 835 § 185.)

SECTS. 69G-69R added, 1973, 1232 § 1 (establishing an Electric Power Facilities Siting Council for the preservation of the environment in conjunction with the promotion of an adequate energy supply). (See 1973, 1232 § 7.)

SECT. 69G, definitions of "Applicant", "Council" and "Facility" revised, 1974, 852 § 1; definitions of "Gas", "Gas company", "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; amended, 1979, 796 § 16; second sentence revised, 1979, 796 § 17; fifth sentence revised, 1979, 796 § 18; fifth paragraph, clause (3) revised, 1975, 617 § 3; clause (4) revised, 1974, 852 § 5; 1975, 617 § 3; clauses (4) and (5) stricken out, and clause (4) added, 1980, 572 § 351. (See 1979, 796 § 35; 1980, 572 § 417.)

SECT. 69H ½ added, 1979, 804 (facilitating the development of hydropower generation).

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; last sentence revised, 1979, 796 § 19: 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. (See 1979, 796 § 35.)

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; fourth paragraph revised, 1979, 796 20. (See 1979, 796 § 35.)

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. 69M, last paragraph revised, 1979, 796 § 21. (See 1979, 796 § 35.)

SECT. 69O, first paragraph, sentence added, 1976, 468 § 7; second sentence revised, 1979, 796 § 22; second paragraph, clause (1) revised, 1974,

852 § 13; clause (3) revised, 1974, 852 § 14; 1975, 617 § 12. (See 1979, 796 § 35.)

†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; eleventh sentence amended, 1978, 322 § 1.

SECT. 72A revised, 1968, 152.

SECT. 73 revised, 1978, 322 § 2.

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. 75B revised, 1980, 174.

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. 75H added, 1980, 175 (relative to the construction of a natural gas pipeline).

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. 76D added, 1980, 502 § 3 (relative to a utility underground plant damage prevention system).

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. 94 ½ added, 1980, 464 (providing for the conversion of oil to coal by electric generating facilities).

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 arrangements 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).

SECT. 94G ½ added, 1980, 464 (providing for the conversion of oil to coal by electric generating facilities).

SECT. 94H added, 1980, 526 (relative to the furnishing of gas and electricity to a condominium).

SECT. 96 revised, 1939, 229 § 1; 1976, 324 § 3.

SECT. 97 amended, 1943, 55; revised, 1976, 324 § 4; 1979, 774.

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. 102B, first sentence amended, 1980, 572 § 352. (See 1980, 572 § 417.)

SECT. 104 revised, 1957, 696; first sentence revised, 1980, 572 § 353. (See 1980, 572 § 417.)

SECT. 105 repealed, 1956, 28.

SECT. 105A added, 1932, 119 (regulating the storage, transportation and distribution of gas).

SECT. 111 revised, 1980, 554.

SECT. 115A added, 1936, 259 § 1 (requiring the periodic replacement of meters for measuring gas); amended, 1937, 40 § 1; paragraph added, 1952, 520 § 1. (See 1936, 259 §§ 2, 3; 1937, 40 §§ 2, 3; 1952, 520 § 2.)

SECT. 116 amended, 1961, 305 § 1.

SECT. 116A added, 1966, 351 (facilitating the disconnection of gas and electric services at the scene of fire, explosion or other disaster).

SECT. 119 revised, 1934, 365.

SECT. 119A added, 1936, 76 § 1 (requiring bills for gas or electricity used for domestic purposes to be itemized); revised, 1939, 145 § 1; sentence added, 1974, 625 § 2. (See 1936, 76 § 2; 1939, 145 § 2.)

SECT. 120, fifth sentence revised, 1953, 154.

SECT. 124 amended, 1935, 237, 376 § 2; 1952, 102; revised, 1965, 118 § 1; amended, 1971, 824; 1973, 858 § 1.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness); revised, 1965, 118 § 2; 1979, 802 § 1.

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. 124F added, 1979, 802 § 2 (relative to the discontinuance of utility service).

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. 25A added, 1978, 292 § 1 (establishing definitions relating to powers of the department of public utilities).

SECT. 28 revised, 1948, 550 § 37; 1961, 466.

SECT. 29 revised, 1951, 476 § 3.

SECT. 32 revised, 1949, 529; 1978, 489 § 1. (See 1978, 489 § 2.)

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 (*a*) revised, 1979, 670 § 1; 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; first two paragraphs revised, 1979, 670 § 2.

SECT. 2A, third sentence amended, 1972, 96 § 2; section revised, 1979, 670 § 3.

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; last sentence revised, 1979, 249 § 1.

SECT. 8, first sentence revised, 1972, 402 § 1; second and third sentences stricken out and three sentences inserted, 1979 249 § 2.

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; two sentences added, 1979, 249 § 3; 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; second and third sentences revised, 1980, 572 § 354; third paragraph revised, 1950, 428; fourth paragraph, last sentence revised, 1972, 24; 1975, 876; paragraph revised, 1978, 31. (See 1948, 527 § 5; 1958, 654 § 4; 1973, 1149 § 33; 1975, 684 § 97; 1980, 572 § 417.)

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; amended, 1978, 514 § 212. (See 1954, 681 §§ 20, 22; 1978, 514 § 287.)

SECT. 5 stricken out and sections 5-5A inserted, 1980, 171.

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; amended, 1980, 18 § 1; two paragraphs added, 1978, 23.

SECT. 9A added, 1980, 491 § 3 (requiring the commissioner of banks to prepare certain lists).

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. 11C amended, 1979, 40.

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; section revised, 1979, 755.

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. 16B added, 1978, 116 (regulating non-interest bearing savings accounts in certain banking institutions).

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; section revised, 1978, 129 § 1; second and third sentences revised, 1979, 46.

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. paragraph inserted after second paragraph, 1980, 184.

SECT. 26A added, 1980, 14 (relative to the liquidation agent of the National Credit Union Administration Board).

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; section revised, 1978, 33 § 1.

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; second sentence revised, 1978, 50; second sentence stricken out, two sentences inserted, 1979, 672 § 1; 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; second sentence stricken out and two sentences inserted, 1979, 672 § 1. (See 1979, 672 § 2.)

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; third paragraph, last sentence revised, 1979, 21.

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. 56A added, 1962, 339 (authorizing banks to accept and disburse insurance premiums relating to educational savings programs).

SECT. 56B added, 1964, 236 § 1 (authorizing the purchase by a bank or group of banks of group accident and health insurance).

SECT. 56C added, 1978, 553 § 1 (authorizing banks to establish accounts relative to security deposits for residential real property); first sentence revised, 1979, 144. (See 1978, 553 § 3.)

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; third sentence revised, 1978, 25; third paragraph revised, 1980, 572 § 355. (See 1980, 572 § 417.)

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. 62A added, 1980, 186 (further facilitating educational loans by banks and credit unions).

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 fudiciaries).

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; 1979, 160 § 2.

SECT. 68 added, 1976, 445 (relative to the disposition of retirement plan benefits); sentence added, 1979, 326.

SECT. 69 added, 1978, 115 (relative to the return of certain instruments of demand deposit or negotiable withdrawal order accounts).

SECT. 70 added, 1980, 314 (relative to certain advertisements in a language other than English);

SECTS. 70-71 added, 1980, 335 § 1 (regulating certain mortgage loans made or acquired by banks and credit unions). (See 1980, 335 § 3.)

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; first sentence revised, 1980, 572 § 356; last two sentences revised, 1980, 572 § 357. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 4A added, 1969, 899 (relative to plans of acquisition in respect of stock of trust companies); paragraph 1 amended, 1973, 1149 § 5; first paragraph, last two sentences revised, 1980, 572 § 357; paragraph 5 revised, 1971, 1087 § 1; paragraph 6 amended, 1971, 313 § 4. (See 1973, 1149 § 33; 1980, 572 § 417.)

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. definition of "Guaranty fund, surplus, unallocated reserves and undivided profits" inserted, 1980, 367 § 1A.

SECT. 4 amended, 1973, 1149 § 6; fourth sentence amended, 1980, 572 § 358. (See 1973, 1149 § 33; 1980, 572 § 417.)

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 sentence amended, 1980, 572 § 359; second paragraph revised, 1976, 170 § 1; section revised, 1979, 293 § 1. (See 1957, 1 § 7; 1972, 684 § 136; 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 7 revised, 1979, 31; 613.

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 sentence revised, 1978, 182 § 1; second paragraph, first sentence revised, 1962, 163 § 2. (See 1962, 163 § 3.)

SECT. 11, fourth sentence revised, 1959, 61.

SECT. 12, first sentence revised, 1962, 74; second paragraph revised, 1976, 102.

SECT. 15, first paragraph revised, 1958, 83.

SECT. 19 revised, 1980, 39.

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; paragraphs 1 and 2 revised, 1978, 103 § 1; paragraph 2, first sentence revised, 1979, 125 § 1; paragraphs 1 and 2 revised, 1980, 75 § 1; paragraph 2 revised, 1980, 268 § 2.

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; second paragraph revised, 1978, 103 § 2; 1980, 75 § 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 (*a*) revised, 1978, 385 § 1; clause (*b*), first sentence revised, 1977, 94 § 4; subsection 2 revised, 1977, 168; 1978, 385 § 2; subsection 3 revised, 1978, 385 § 3.

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; clause (*b*) revised, 1979, 360 § 1; 1980, 45.

SECT. 22D added, 1980, 547 § 1 (relative to strengthening the ability of savings banks to compete equally with other financial institutions).

SECT. 23 revised, 1956, 244 § 1; 1975, 348 § 1.

SECT. 24, first sentence revised, 1979, 19 § 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; first sentence amended, 1980, 34 § 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; 1979, 121; third paragraph revised, 1960, 804 § 2; 1971, 92 § 1; sentence added, 1967, 312; stricken out, 1971, 455 § 2; paragraph amended, 1974, 843 § 1; paragraph revised, 1979, 51 § 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; revised, 1979, 69; 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; 1979, 69; 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; 1978, 73 § 1; 1980, 204 § 1; paragraph 6B inserted, 1972, 336; first sentence amended, 1973, 78 § 3; revised, 1976, 364 § 3; fifth sentence revised, 1978, 73 § 2; 1980, 204 § 2; paragraph 6C inserted, 1977, 775 § 1; paragraph 7 revised, 1961, 327; first two sentences revised, 1966, 218 § 4; second sentence revised, 1973, 40; 1980, 204 § 3; third sentence revised, 1969, 278 § 3; paragraph 8, first sentence revised, 1963, 341 § 1; 1965, 263 § 1; 1972, 129 § 1; 1979, 99; second sentence amended, 1972, 1929 § 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 revised, 1978, 73 § 3; third sentence revised, 1979, 35; paragraph 10 revised, 1980, 78 § 1; paragraph 10A added, 1974, 110 § 1; clause (*b*) revised, 1975, 33 § 1; paragraph revised, 1978, 73 § 4; paragraph 11 revised, 1960, 289; amended, 1963, 301; revised, 1979, 629 § 2; paragraph 11A added, 1979, 181; paragraph 13 added, 1960, 804 § 3; paragraph 14 added, 1971, 352 § 3.

SECT. 36, paragraph 2 revised, 1978, 244 § 1; paragraph 3A added, 1975, 635 § 1; paragraph 4, first two sentences revised, 1962, 50 § 6; paragraph revised, 1978, 244 § 2; 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; fourth sentence revised, 1978, 88; section revised, 1980, 248 § 1. (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); revised, 1979, 138.

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. 39, first sentence revised, 1978, 125; 1979, 231 § 1.

SECT. 39A added, 1980, 547 § 2 (relative to strengthening the ability of savings banks to compete equally with other financial institutions).

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; 1979, 231 § 2; paragraph 2 revised, 1965, 42; first sentence revised, 1975, 64 § 6; paragraph 3 amended, 1972, 381 § 3; revised, 1976, 229 § 3; 1980, 248 § 2; 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; clauses (*i*) and (*j*) added, 1979, 51 § 2.

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; clauses (*a*) and (*b*) revised, 1980, 367 § 2. paragraph 4 added, 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; paragraph 7 revised, 1980, 367 § 3.

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 1 and 1A revised, 1980, 367 § 4; paragraphs 3 and 4 stricken out, 1966, 295 § 2; paragraphs 6 and 7 inserted, 1966, 288 § 2; paragraph 6 revised, 1968, 430 § 2; 1969, 338 § 1; clause (*a*) revised, 1972, 698 § 1; 1973, 165 § 1; amended, 1976, 186 § 1; last sentence revised, 1980, 149; paragraph 7 revised, 1967, 433 § 1; 1968, 430 § 3; amended, 1973, 735 § 1; revised, 1974, 202 § 1; paragraph 8 added, 1969, 338 § 2; paragraph 9 added, 1978, 16.

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; second sentence revised, 1980, 65; paragraph added, 1975, 52 § 1.

SECT. 51A added, 1970, 363 (relative to savings banks investments not otherwise authorized).

SECT. 53, paragraph 1 revised, 1980, 367 § 5; paragraph 2, first sentence revised, 1972, 94; 1973, 59; sentence added, 1962, 80 § 1; paragraph revised, 1979, 19 § 2.

SECT. 56A added, 1969, 99 (authorizing savings banks to execute and deliver guaranties incidental to investment securities transfers).

SECT. 57 revised, 1980, 367 § 6.

SECT. 58, paragraph 1, amended, 1965, 74; section repealed, 1980, 367 § 7.

SECT. 59 revised, 1968, 224 § 1; revised, 1980, 367 § 8.

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; section revised, 1980, 367 § 9.

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; section revised, 1980, 367 § 10.

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; section repealed, 1980, 367 § 11.

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. 65B added, 1979, 629 § 1 (relative to mortgage loans by savings banks).

SECT. 66, second sentence stricken out and two sentences inserted, 1972, 418; second, third and fourth sentences stricken out and one sentence inserted, 1974, 843 § 2.

SECT. 66A added, 1971, 92 § 2 (authorizing the issuance by savings and co-operative banks of certain mortgage-backed securities); revised, 1979, 51 § 3.

SECT. 66B added, 1972, 116 (authorizing savings banks to act as trustees under certain retirement plans); revised, 1975, 685 § 2; 1979, 125 § 2.

SECT. 66C added, 1974, 843 § 3 (increasing the funds available for investment by savings banks).

SECT. 66D added, 1980, 268 § 3 (relative to industrial development, health care and educational development).

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; first paragraph, second sentence amended, 1980, 572 § 360; last paragraph revised, 1980, 367 § 12. (See 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 72A added, 1980, 454 § 1 (relative to the merger of banks).

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 sentence amended, 1980, 572 § 361; second paragraph amended, 1961, 493 § 18B. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; paragraph revised, 1979, 139; sixth paragraph revised, 1971, 401 § 3; amended, 1975, 620 § 1; paragraph added, 1969, 235. seventh paragraph revised, 1980, 372 § 1.

SECT. 78 amended, 1973, 1149 § 11; first paragraph, second sentence amended, 1980, 572 § 362. (See 1973, 1149 § 33; 1980, 572 § 362; 1980, 572 § 417.)

SECT. 80 amended, 1957, 698 § 8; 1972, 684 § 103; revised, 1976, 252 § 5; second paragraph, second sentence amended, 1980, 572 § 363. (See 1972, 684 § 136; 1980, 572 § 4187)

SECT. 81 added, 1980, 547 § 3 (relative to strengthening the ability of savings banks to compete equally with other financial institutions).

SECT. 93, first paragraph, second sentence amended, 1980, 572 § 361. (See 1980, 572 § 417.)

Chapter 169. — Deposits with Others than Banks.

SECT. 1 amended, 1949, 64 § 1; 1950, 95.

SECT. 3 amended, 1961, 493 § 19; 1980, 572 § 364; last sentence revised, 1949, 64 § 2; (See 1980, 572 § 417.)

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; amended, 1980, 507 § 1.

SECT. 2A added, 1974, 50 (establishing a procedure for the change of name of co-operative banks).

SECT. 3 amended, 1973, 1149 § 12; first paragraph, second sentence amended, 1980, 572 § 365; second paragraph amended, 1980, 507 § 2. (See 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 5 amended, 1957, 698 § 9; 1962, 750 § 46; 1972, 684 § 104; 1978, 514 § 213. second paragraph, third sentence amended, 1980, 572 366. (See 1972, 684 § 136; 1978, 514 § 287; 1980, 572 § 417.)

SECT. 6, first paragraph, third sentence revised, 1979, 95 § 1; second paragraph, clause (*h*) added, 1979, 95 § 2.

SECT. 7, first paragraph revised, 1952, 168 § 2.

SECT. 8, second sentence revised, 1969, 178 § 1; fifth sentence stricken out and three sentences inserted, 1964, 225 § 1; last paragraph revised, 1964, 225 § 2.

SECT. 8A added, 1957, 102 (prohibiting directors and officers of co-operative banks from serving as officers in certain other banks and savings and loan associations); revised, 1972, 520 § 2; second sentence amended, 1974, 75 § 2; revised, 1978, 182 § 2; sentence added, 1974, 140 § 3.

SECT. 9, first paragraph amended, 1965, 308 § 1; paragraph added, 1964, 611 § 1.

SECT. 10, second paragraph, first sentence revised, 1979, 41.

SECT. 11, third sentence stricken out, 1967, 179.

SECT. 12, first paragraph, second sentence revised, 1957, 1 § 5; 1965, 326; 1967, 157 § 1; amended, 1972, 684 § 105; 1973, 1149 §§ 13, 14; sentence added, 1974, 11; paragraph revised, 1975, 755; second sentence revised, 1977, 205; 1979, 293 § 2; third sentence amended, 1980, 572

§ 367; paragraph added, 1967, 157 § 2; revised, 1976, 168 § 1; first sentence revised, 1979, 293 § 3. (See 1972, 684 § 136; 1973, 1149 § 33; 1980, 572 § 417.)

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 co-operative banks of utility company bills).

SECT. 13, first sentence revised, 1952, 168 § 3; second sentence revised, 1961, 333 § 1; subsection 1, paragraph (*a*) amended, 1961, 333 § 2; paragraph (*c*) amended, 1961, 333 § 3; paragraph (*d*) amended, 1952, 257 § 1; subsection 2 amended, 1957, 204; 1961, 333 § 4; third sentence revised, 1979, 28 § 1;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 (3), paragraph (*b*), first sentence revised, 1979, 28 § 2 paragraph (*d*) revised, 1979, 28 § 3; subsection 3A added, 1968, 184 § 1; paragraph (*a*), subparagraph (*i*) revised, 1978, 172 § 1; paragraphs (*c*) and (*d*) revised, 1978, 172 § 2; subsection 3B added, 1971, 354 § 4; revised, 1974, 73 § 2; amended, 1974, 126; provision 1, clause (*b*) revised, 1977, 55; 1979, 360 § 2; 1980, 295; provision 1A inserted, 1976, 120; revised, 1977, 202; subsection 4, paragraph (*a*) amended, 1965, 373 § 3; paragraph (*c*) revised, 1979, 28 § 4. (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; first and second paragraphs revised, 1978, 232. first paragraph revised, 1980, 375; second paragraph amended, 1980, 500 § 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; first sentence amended, 1980, 34 § 2.

SECT. 23, first paragraph amended, 1974, 100; subsection 3, first sentence revised, 1975, 797; 1979, 56; 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; 1978, 29; 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; second sentence revised, 1978, 28; 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

revised, 1979, 279 § 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; 1978, 30 § 1; 1980, 204 § 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 (*a*) revised, 1978, 30 § 2; 1980, 204 § 5; 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; 1980, 67; 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; 1978, 30 § 3; 1979, 279 § 2; subsection 4A inserted, 1965, 307; revised, 1967, 227 § 3; paragraph (*a*) revised, 1978, 27; 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); revised, 1979, 549.

SECT. 25 amended, 1968, 184 § 4; first sentence revised, 1979, 32.

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; amended, 1980, 507 § 3; 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; paragraphs (*a*) and (*b*) revised, 1980, 507 § 4; paragraph (*e*) amended, 1972, 698 § 2; 1973, 165 § 2; clause (*i*) amended, 1976, 186 § 2; clause (*ii*) amended, 1975, 78; 1976, 165; last sentence revised, 1979, 289; 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 revised, 1979, 286; 1980, 78 § 2; subsection 6A inserted, 1974, 110 § 2; clause (*b*) revised, 1975, 33 § 2; clause (*d*) revised, 1980, 74; 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 revised, 1971, 400; amended, 1973, 332 § 2; fourth sentence revised, 1977, 34; stricken out and two sentences inserted, 1979, 287; fourth and fifth sentences revised, 1980, 248 § 3; 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; subsection 15 added, 1980, 500 § 4. (See 1955, 432 § 4.)

SECT. 26A added, 1975, 52 § 2 (relative to investments of co-operative banks).

SECT. 27 amended, 1980, 294.

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 sentence amended, 1980, 507 § 5; second paragraph amended, 1957, 197 § 2; sentence added, 1962, 80 § 2, first two paragraphs revised, 1972, 345; 1973, 82; section revised, 1979, 20; first paragraph, second sentence revised, 1979, 278.

SECT. 31, first paragraph amended, 1956, 38; 1962, 110; revised, 1964, 211; first sentence revised, 1980, 109; last sentence stricken out, 1979, 54.

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. 32D added, 1974, 258 (authorizing co-operative banks to act as trustees under certain retirement plans); revised, 1975, 685 § 4.

SECT. 32E added, 1980, 500 § 5 (relative to the powers of cooperative banks regarding industrial development authorities).

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; section revised, 1980, 507 § 6.

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; section revised, 1980, 507 § 7. (See 1952, 149; 1953, 72; 1954, 463; 1955, 257 § 1.)

SECT. 39 repealed, 1980, 507 § 8.

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. 46 amended, 1980, 507 § 9.

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; third sentence amended, 1980, 572 § 368; last paragraph revised, 1958, 105; amended, 1980, 507 § 10. (See 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 48A added, 1980, 454 § 2 (relative to the merger of banks).

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, third paragraph amended, 1980, 507 § 11; fourth and fifth paragraphs revised, 1962, 750 § 47; fifth paragraph, second sentence amended, 1980, 572 § 369. (See 1980, 572 § 417.)

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; seventh paragraph revised, 1980, 372 § 2.

SECT. 54 added, 1980, 507 § 11A (relative to surplus of co-operative banks).

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 co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For act establishing the Massachusetts Credit Union Share Insurance Corporation and providing for the establishment of a fund for the insurance of shares in credit unions, see 1961, 294.

SECT. 2, first two sentences revised, 1964, 258 § 1; paragraph added, 1965, 321; revised, 1977, 143; second paragraph stricken out and two paragraphs inserted, 1979, 293 § 4.

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; 1980, 572 § 370; 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; 1980, 572 § 417.)

SECT. 3A added, 1979, 694 (permitting credit unions to collect payments on utility company bills).

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; fourth, fifth and sixth sentences revised, 1980, 66; 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; section revised, 1978, 96, 415 § 1. (See 1978, 415 § 4.)

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; subparagraph (*a*), first sentence revised, 1978, 415 § 2; subparagraph (*b*), first sentence revised, 1978, 415 § 3. (See 1978, 415 § 4.)

SECT. 10B added, 1973, 909 (authorizing credit unions to accept term share and deposit accounts); amended, 1974, 95. second paragraph, clause (*b*) revised, 1979, 360 § 3.

SECT. 10C added, 1975, 15 (authorizing credit unions to act as trustees under certain retirement plans); revised, 1975, 687; first sentence stricken out and two sentences inserted, 1978, 81; 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, first paragraph, third sentence revised, 1978, 47; third paragraph revised, 1962, 268 § 1.

SECT. 14, fifth sentence revised, 1979, 59 § 1; two sentences added, 1979, 59 § 2.

SECT. 15, first paragraph, first sentence revised, 1952, 94; 1979, 71; first sentence stricken out and two sentences inserted, 1980, 201 § 1; 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); second sentence revised, 1978, 182 § 3.

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; two sentences inserted after fourth sentence, 1980, 219 § 1; 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; third sentence revised, 1978, 229. (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; paragraph (1) revised, 1978, 200; first sentence revised, 1979, 39; section revised, 1980, 202.

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; second paragraph, introductory sentence revised, 1980, 201 § 2; second paragraph, paragraph (*p*) revised, 1979, 38; paragraphs (*s*) and (*t*) added, 1980, 431 § 1; third paragraph, paragraph (*l*) revised, 1978, 65 § 1; 1979, 309; paragraph (*n*) added, 1978, 65 § 2; paragraph (*o*) added, 1980, 431 § 2; (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. 21C added, 1980, 79 (authorizing a credit union to sell, transfer, and assign any and all loans, investments or other assets).

SECT. 22, paragraph added, 1952, 88; section revised, 1962, 344; third paragraph revised, 1968, 144; amended, 1971, 420 § 5; revised, 1974, 58.

SECT. 23 revised, 1980, 96.

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; 1978, 57 § 1; paragraph 2 revised, 1974, 72 § 1; 1975, 244 § 2; 1978, 57 § 2; paragraph 3A revised, 1974, 72 § 2; 1975, 244 § 3; 1978, 57 § 3; paragraph 5 revised, 1972, 232; second sentence revised, 1978, 48; paragraph 6, first paragraph revised, 1975, 14; 1978, 51; subdivision (A) revised, 1980, 302. subdivision (B), subsection (*a*), paragraph 4 amended, 1972, 146; 1973, 95; 1974, 340; first sentence revised, 1976, 7; 1978, 46; fifth sentence revised, 1977, 20; paragraph 4 revised, 1979, 43; paragraph 6, third sentence revised, 1978, 49; paragraph 7 added, 1977, 23; first two sentences revised, 1980, 250; subsection (*b*), paragraph 8 amended, 1972, 356; 1974, 54; revised, 1979, 27; 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 (D) revised, 1979, 317; 1980, 78 § 3; subdivision (E), clauses (*c*) and (*d*) revised, 1979, 26; subdivision (F) added, 1974, 56 § 2; revised, 1978, 58; 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; 1980, 18 § 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; first paragraph, sentence inserted after first sentence, 1979, 293 § 5; last paragraph amended, 1964, 258 § 3.

SECT.30A added, 1980, 454 § 3 (relative to the merger of banks).

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).

SECT. 36 added, 1980, 431 § 3 (allowing credit unions to be members of certain corporate 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 "Board" amended, 1978, 514 § 214; definition of "Deposit book" or "pass book" revised, 1962, 151. (See 1978, 514 § 287.)

SECT. 7 amended, 1966, 200 § 1; 1973, 1149 § 17; second paragraph, fourth sentence revised, 1977, 635; 1980, 572 § 371. (See 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 9 amended, 1962, 750 § 48; 1972, 684 § 107; second paragraph, third sentence amended, 1980, 572 § 372. (See 1972, 684 § 136; 1980, 572 § 417.)

SECT. 10, second sentence revised, 1978, 24.

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; 1978, 352; first sentence revised, 1979, 293 § 6; third sentence amended, 1980, 572 § 373; paragraph (*b*) revised, 1979, 293 § 7; sentence added, 1980, 454 § 4; paragraph (*e*) added, 1978, 11. (See 1972, 684 § 136; 1973, 1149 § 33; 1980, 572 § 417.)

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; 1979, 101.

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; paragraph A, first paragraph revised, 1979, 288; 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; last sentence amended, 1980, 572 § 374; clause (2) amended, 1968, 610 § 2; revised, 1973, 1149 § 20; last sentence amended, 1980, 572 § 375; subsection C revised, 1968, 610 § 3; subsection D

revised, 1979, 293 § 8; subsection F added, 1968, 610 § 4. (See 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 44 amended, 1979, 238.

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; clause (a) revised, 1979, 42.

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); revised, 1980, 167.

SECT. 50 revised, 1968, 350; amended, 1974, 94; first paragraph revised, 1978, 59; 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; 1978, 120 § 1; clause 2 revised, 1976, 59 § 2; 1978, 120 § 2; clause 3 added, 1975, 686 § 2; second paragraph revised, 1964, 279; 1976, 127 § 2; section revised, 1980, 203.

SECT. 52 revised, 1979, 96.

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 B revised, 1979, 470; 629 § 3; 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.

SECTS. 55-57 stricken out and sections 55, 56, 56A and 57 inserted, 1980, 407.

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; revised, 1978, 33 § 2; first sentence revised, 1980, 218.

SECT. 76 revised, 1966, 168; 1968, 441.

Chapter 172A. — Banking Companies.

New chapter inserted, 1935, 452 § 4.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 1 revised, 1938, 266 § 2; amended, 1941, 391 § 1. (See 1941, 391 §§ 2, 3.)

SECT. 1A added, 1938, 266 § 3 (authorizing certain existing corporations to vote to carry on the business of a banking company on certain conditions).

SECT. 2 amended, 1938, 266 § 4; 1973, 1149 § 21; second sentence amended, 1980, 572 § 376. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; section revised, 1978, 384 § 1.

SECT. 5A added, 1948, 148 § 2 (relative to the limitations on the amount of deposits on certificate funds in banking companies); section revised, 1978, 384 § 2.

SECT. 6 revised, 1938, 266 § 9.

SECT. 6A added, 1946, 115 § 1 (authorizing certain banking companies to receive deposits subject to withdrawal by check); first sentence revised, 1961, 493 § 23; second sentence amended, 1948, 150; 1953, 123; 1955, 163, last sentence revised, 1950, 92 § 2; section repealed, 1978, 384 § 3.

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; stricken out and clauses Fourth and Fifth inserted, 1978, 384 § 4.

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; second sentence amended, 1980, 572 § 377. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; second sentence amended, 1980, 572 § 378. (See 1973, 1149 § 33; 1980, 572 § 417.)

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. 8, subsection (*a*), fifth sentence amended, 1980, 572 § 379. (See 1980, 572 § 417.)

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 174B. — Regulation of Automobile Clubs.

New chapter inserted, 1972, 754.

SECT. 2 amended, 1974, 850 § 1.

SECT. 4 revised, 1973, 713; last sentence revised, 1980, 572 § 380. (See 1980, 572 § 417.)

SECT. 6 revised, 1974, 850 § 2.

SECTS. 7-11 added, 1974, 850 § 3.

SECT. 7 amended, 1977, 353.

SECT. 10, last sentence amended, 1980, 572 § 381. (See 1980, 572 § 417.)

Chapter 175. — Insurance.

For legislation authorizing domestic insurance companies to invest in real estate mortgages insured under the National Housing Act, see 1939, 359. (See also 1943, 339.) -For other legislation, see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126; 1946, 125.

For temporary act, modifying the requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2; extended, 1939, 98; 1941, 40.

For temporary legislation authorizing insurance companies to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation confirming the power and authority of domestic insurance companies, their officers, directors, employees and agents, to pay certain taxes and fees, and relating to liability therefor, see 1945, 57; 1947, 80.

SECT. 1, definition of "Company" revised, 1947, 488 § 10; amended, 1963, 848 § 1; 1968, 391 § 1; paragraph added, (after definition of "Foreign company") defining "Industrial life insurance policy" or "policy of industrial life insurance", 1943, 227 § 11; paragraph added after word "law" in the fifty-second line, 1938, 306 (defining "resident with respect to the incorporators, officers and directors of insurance companies); paragraph added, 1963, 848 § 2; revised, 1968, 391 § 2; 1970, 642 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 2B added, 1977, 801 § 1 (requiring insurance policies to be written in a form that can be easily understood); subsection 2, clauses (*b*) and (*c*) revised, 1979, 354 § 1. (See 1979, 354 § 2.)

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; 1979, 558 § 1; paragraph Sixth added, 1961, 368 § 2; subdivision 2, paragraph First revised, 1960, 323 § 1; paragraph (*a*) revised, 1979, 558 § 2; clause First revised, 1979, 558 § 3; paragraph (*b*) revised, 1979, 558 § 4; 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 3 and 4 stricken out and subdivisions 3, 3A and 4 inserted, 1979, 558 § 5; subdivisions 5-11, inclusive, stricken out and subdivisions 5-13, inclusive, inserted, 1961, 368 § 6; subdivisions 6 and 7 revised, 1979, 558 § 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; 1980, 572 § 382. (See 1945, 593 § 2; 1971, 968 § 8; 1975, 684 § 97; 1980, 572 § 417.)

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; last sentence revised, 1978, 358.

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 22E-22H added, 1970, 744 § 1 (providing for renewal of certain motor vehicle insurance policies and for penalties for refusals to issue or renew same by insurance companies).

SECT. 22E revised, 1973, 551 § 2; 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. 22I added, 1979, 776 (allowing insurers to offset unpaid premiums from amounts owed on claims).

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; 1979, 332; 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; subdivision (d) revised, 1979, 304; 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 businesses in which domestic insurance companies may engage).

SECT. 47B added, 1973, 1174 §§ 1, 2 (providing for certain insurance coverage for mental illness). (See 1973, 1174 § 7.)

SECT. 47C added, 1974, 785 § 1 (extending the coverage of certain accident and sickness insurance); 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; revised, 1980, 572 § 383. (See 1970, 876 § 28; 1972, 684 § 136; 1980, 572 § 417.)

SECT. 50, first sentence revised, 1945, 609 § 1; 1954, 320 § 3; third sentence amended, 1932, 180 § 33; 1957, 698 § 12.

SECT. 50 stricken out and sections 50-50B added, 1970, 876 § 14 (relative to articles of amendment of stock and mutual companies). (See 1970, 876 § 28.)

SECT. 51, clause (*a*) revised, 1946, 471 § 5; clause (*d*) revised, 1961, 168 § 3; 1962, 202 § 2; clause (*h*) added, 1965, 260 § 3; revised, 1967, 676 § 1; stricken out, 1968, 391 § 9.

SECT. 54, clause (*a*) 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; 1980, 386 § 1.

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 commerical property in a fire insurance policy).

SECT. 54G added, 1973, 600 § 1 (further regulating reinsurances by life companies).

SECT. 56, first paragraph, penultimate sentence revised, 1980, 572 § 384. (See 1980, 572 § 417.)

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; third sentence revised, 1979, 303 § 1; sixth sentence revised, 1979, 303 § 2; 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. (See 1939, 488 § 9.)

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.)

SECT. 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. 98 revised, 1978, 446 § 2; paragraph added, 1980, 59; section revised, 1980, 255.

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; second paragraph revised, 1980, 104; tenth paragraph, clause (*b*) revised, 1978, 446 § 3; fourteenth paragraph revised, 1979, 471 § 1; clause Thirteenth added, 1974, 498 § 1; clause Thirteenth stricken out, 1979, 471 § 2; clauses Fourteenth and Fifteenth added, 1977, 804 § 3; clause Fifteenth A added, 1978, 446 § 4. (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. 101H added, 1978, 446 § 5.

SECT. 102 amended, 1932, 174 § 1; revised, 1934, 110 § 1. (See 1932, 174 § 2; 1934, 110 § 2.)

SECT. 102A, first paragraph amended, 1966, 80.

SECT. 102C added, 1957, 453 § 3 (relative to the issuance of insurance policies against loss by radioactive contamination).

SECT. 102D added, 1970, 598 (authorizing certain insurance companies to issue "association" policies).

SECT. 104 repealed, 1947, 614 § 2. (See 1947, 614 § 3.)

SECT. 105 amended, 1955, 432 § 17; 1978, 514 § 215. (See 1955, 432 § 4; 1978, 514 § 287.)

SECT. 106 revised, 1932, 150 § 1; amended, 1939, 400 § 1. (See 1932, 150 § 4.)

SECT. 108, paragraph added, 1945, 341; paragraphs A-C added, 1947, 607; section revised, 1954, 275 § 1; subdivision 2, paragraph (*a*) amended, 1962, 634 § 1; 1965, 112; subdivision 3, paragraph (*a*), provision (2) amended, 1958, 277; provision (2A) inserted, 1972, 714; provision (3) amended, 1958, 294 § 1; paragraph (*b*), provision (8) stricken out, 1958, 294 § 2; provision (11) stricken out, 1971, 1076 § 15; paragraph (*b* ½) inserted, 1958, 294 § 3; subdivision 4 amended, 1973, 344 § 1; subdivision 8, second paragraph revised, 1966, 96; paragraph C amended, 1954, 681 § 18; paragraph D added, 1966, 386 § 1; 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); amended, 1979, 743 1; second sentence stricken out, 1979, 743 § 1; fourth sentence stricken out, and two sentences inserted, 1979, 743 § 1.

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;

second sentence revised, 1979, 401; 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; two paragraphs inserted after first paragraph 1979, 197 § 1; 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; eighth paragraph revised, 1979, 473. (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; revised, 1980, 532 § 1; paragraph (2) revised, 1980, 532 § 2. (See 1980, 532 § 3.)

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; first paragraph, last sentence revised, 1980, 572 § 385. (See 1971, 1078 § 3; 1976, 266 § 23; 1980, 572 § 417.)

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; fifth sentence revised, 1980, 463 § 2; four paragraphs added, 1980, 451. (See 1973, 630 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23.)

SECT. 113P added, 1976, 266 § 18 (establishing a merit rating plan); third paragraph, sentence added, 1979, 192; 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; 1979, 182 § 1; tenth and eleventh paragraphs stricken out, 1979, 182 § 2. (See 1976, 266 § 23.)

SECT. 113Q added, 1978, 132 (further defining automobile club contract service).

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; first sentence revised, 1979, 375 § 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; paragraph (*b*) revised, 1979, 558 § 7; subdivision 7 revised, 1961, 368 § 8; subdivision 9 revised, 1979, 558 § 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. 144A added, 1979, 558 § 9 (relative to delivery of contracts of annuity).

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; first and second sentences revised, 1980, 130 § 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. 149E added, 1980, 130 § 2 (relative to certain abandoned property).

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).

SECTS. 160A-160E added, under caption, 1968, 129 (providing for domestication of certain foreign insurance companies); amended, 1968, 696 §§ 1-5; section numbers corrected, 1968, 696 § 6, so as to read "Sects. 161A to 161E added, under caption, 1968, 129." (See 1968, 696 §§ 6, 7.)

SECT. 162, third paragraph revised, 1941, 286.

SECT. 162A added, 1947, 629 (authorizing insurance companies and their agents to compensate duly licensed insurance brokers for certain services); revised, 1971, 968 § 2. (See 1971, 968 § 8.)

SECT. 162B added, 1954, 464 (authorizing agents and brokers to accept payment of insurance premiums in installments and to finance insurance payments).

SECT. 162C added, 1975, 759 (further regulating certain agreements between certain insurers and their agents).

SECT. 162D added, 1979, 149 (relative to payment of expense premium commissions); first sentence revised, 1980, 398.

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; paragraph added, 1978, 440. (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; section revised, 1980, 125.

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; section amended, 1980, 386 § 2.

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.

SECT. 180C, four paragraphs inserted after second paragraph, 1978, 271 § 1.

SECT. 180F, paragraph added, 1978, 271 § 2.

SECTS. 180M-180Q added, under caption, 1963, 521 § 1 (relative to facilitating the continued operation of domestic insurance companies and fraternal benefit societies in the event of certain national emergencies).

SECT. 181 revised, 1934, 160; amended, 1939, 395 § 4.

SECT. 184 amended, 1937, 103; first sentence revised, 1947, 531; second sentence amended, 1948, 98; revised, 1961, 206; amended, 1964, 236 § 5.

SECT. 185, first paragraph amended, 1939, 400 § 3; second paragraph revised, 1932, 150 § 3; first and second paragraphs revised, 1941, 654 § 2; section revised, 1943, 238 § 2.

SECT. 186A added, 1949, 237 (relative to certain presumptions created by the delivery of endowment policies or annuity contracts).

SECT. 186B added, 1959, 168 § 1 (providing that the effect of the lack of a sworn statement of loss shall be the same under all policies of insurance as it is under fire insurance policies). (See 1959, 168 § 2.)

SECT. 187B, four sentences added, 1970, 504.

SECT. 187C, first paragraph amended, 1934, 34; 1936, 215 § 1. (See 1936, 215 § 2.)

SECT. 187E added, 1947, 104 (to facilitate payment by insurance companies of amounts not exceeding five hundred dollars due to estates of deceased persons); amended, 1973, 925 § 60; 1978, 90. (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); amended, 1980, 392.

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; seventh sentence revised, 1979, 405. (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, 570 § 1; second paragraph revised, 1975, 341 § 1. (See 1975, 570 § 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. 4, clause (*d*), paragraph added, 1978, 511 § 1; paragraph inserted after fourth paragraph, 1979, 197 § 2.

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. 6, third sentence amended, 1980, 572 § 386. (See 1980, 572 § 417.)

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; second paragraph revised, 1979, 399 § 1; fourth paragraph revised, 1979, 399 § 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. 29, second sentence amended, 1980, 572 § 387. (See 1980, 572 § 417.)

SECT. 31, sentence added, 1974, 374 § 3. (See 1974, 374 § 5.)

SECT. 35, subsection (1) amended, 1971, 538; subsection (4), clause (*a*) amended, 1980, 572 § 388. (See 1980, 572 § 417.)

SECT. 40, first sentence amended, 1960, 238; 1961, 493 § 26; 1968, 328 § 1; 1970, 466 § 1; two sentences added, 1966, 229.

SECT. 41, subsection (l, first sentence amended, 1980, 572 § 389; subsection (6), paragraph (*a*) revised, 1960, 321 § 4; third paragraph revised, 1979, 399 § 3. (See 1980, 572 § 417.)

SECT. 44, last sentence stricken out, 1960, 468.

SECT. 50 amended, 1963, 521 § 2.

Chapter 176A. — Non Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

Chapter stricken out and new chapter 176A (with new title) inserted, 1950, 766 § 1. (See 1950, 766 §§ 2-4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 176A, as so inserted:

SECT. 1, paragraph added, 1951, 687; section revised, 1953, 287 § 1; second paragraph revised, 1972, 703; paragraph inserted after third paragraph, 1955, 499; revised, 1967, 53; last paragraph stricken out, 1968, 432 § 1.

SECT. 2, second paragraph revised, 1956, 147 § 1; first sentence revised, 1972, 309. (See 1956, 147 § 2.)

SECT. 3, first sentence revised, 1953, 287 § 2.

SECT. 5, first paragraph revised, 1953, 287 § 3; amended, 1954, 513; paragraph inserted after first paragraph, 1968, 432 § 10; fourth paragraph amended, 1953, 636 § 4; stricken out and two paragraphs inserted, 1956, 406; six paragraphs added, 1968, 432 § 2; fifth and sixth paragraphs revised, 1968, 492 § 19; section amended, striking out all after the third paragraph and twelve paragraphs added, 1969, 874 § 1; fourth paragraph amended, 1974, 812 § 2; sixth paragraph amended, 1974, 812 § 3. (See 1953, 636 § 9.)

SECT. 6, first two sentences revised, 1953, 287 § 4.

SECT. 8, first paragraph, sentence inserted before first sentence, 1969, 874 § 2; paragraph (*c*), clause (2) revised, 1953, 287 § 5; clause (5) added, 1955, 404; revised, 1956, 192 § 1; clause (6) added, 1974, 732 § 1. (See 1956, 192 § 2.)

SECT. 8A added, 1973, 1174 §§ 3, 4. (See 1973, 1174 § 7.)

SECT. 8B added, 1974, 785 § 2 (extending the coverage of certain accident and sickness insurance to certain newborn infants); 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); section amended, 1979, 743 § 2.

SECT. 10, first paragraph revised, 1953, 287 § 6; third sentence amended, 1976, 454 § 4; sentence added, 1978, 361 § 1; 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. 25, first sentence amended, 1980, 572 § 390. (See 1980, 572 § 417.)

SECT. 26 revised, 1968, 432 § 5; first sentence revised, 1978, 402 § 1.

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).

SECT. 32 added, 1980, 212 § 1 (further regulating payment by health service corporations of claims due to estates of deceased subscribers).

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; section revised, 1978, 574 § 1; definition of "Medical Service" revised, 1979, 365 § 1.

SECT. 2, second paragraph amended, 1957, 698 § 14; last sentence amended, 1980, 572 § 391; third paragraph amended, 1978, 514 § 216. (See 1978, 514 § 287; 1980, 572 § 417.)

SECT. 3, first paragraph, first sentence revised, 1979, 365 § 2; 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; 1978, 574 § 2; third paragraph amended, 1976, 454 § 5; fourth paragraph amended, 1978, 361 § 2.

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. 4A stricken out and section 4A½inserted, 1979, 526.

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); amended, 1979, 743 § 3.

SECT. 7 amended, 1971, 434 § 1; revised, 1978, 574 § 3.

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; first sentence revised, 1978, 402 § 2.

SECT. 12 amended, 1977, 504 § 2; first sentence revised, 1978, 574 § 4.

SECT. 13, second sentence stricken out and two paragraphs inserted, 1971, 434 § 2; second paragraph revised, 1978, 574 § 5.

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).

SECT. 19 added, 1980, 212 § 2 (further regulating payment by health service corporations of claims due to estates of deceased subscribers).

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. 15, amended, 1978, 514 § 217. (See 1978, 514 § 287.)

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; 1978, 446 § 6.

Chapter 176E. — Dental Service Corporations.

New chapter inserted, 1962, 714.

SECT. 2 amended, 1978, 514 § 218; second paragraph, last sentence amended, 1980, 572 § 392. (See 1978, 514 § 287; 1980, 572 § 417.)

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).

SECT. 15A added, 1980, 212 § 3 (further regulating payment by health service corporations of claims due to estates of deceased subscribers).

Chapter 176F. — Optometric Service Corporations.

New chapter inserted, 1962, 774.

SECT. 2 amended, 1978, 514 § 219; second paragraph, last sentence amended, 1980, 572 § 393. (See 1978, 514 § 287; 1980, 572 § 417.)

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.

SECT. 1, definition of "Health services" revised, 1980, 196.

SECT. 17, paragraph added, 1979, 171.

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; 1979, 64.

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; revised, 1979, 372.

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. 22 revised, 1979, 65.

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; two sentences added, 1979, 585. (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; last sentence amended, 1980, 572 § 394. (See 1943, 130 § 2; 1980, 572 § 417.)

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; 1947, 559 § 5; amended, 1962, 750 § 52; seventh sentence revised, 1957, 698 § 16; amended, 1962, 750 § 52; section revised, 1964, 433.

SECTS. 11A AND 11B added, 1962, 472 (providing for the dissolution of corporations constituting public charities).

SECTS. 9-11B stricken out and sections 9-11C inserted, 1971, 819 § 5. (See 1971, 819 § 12.)

SECT. 11B amended, 1978, 514 § 220. (See 1978, 514 § 287.)

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; section revised, 1980, 572 § 395. (See 1972, 684 § 136; 1980, 572 § 417.)

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.

SECTS. 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; amended, 1978, 514 § 221. (See 1973, 1078 § 8; 1978, 514 § 287.)

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; third sentence amended, 1978, 514 § 222; fourth sentence revised, 1975, 307. (See 1978, 514 § 287.)

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; second sentence revised, 1978, 280; section amended, 1978, 514 § 223. (See 1973, 1078 § 8; 1978, 514 § 287.)

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; third paragraph amended, 1980, 572 § 396. (See 1933, 236 § 2; 1971, 819 § 12; 1972, 684 § 136;) 1980, 572 § 417.)

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, paragraph inserted after second paragraph, 1979, 256; fourth paragraph, clause (5) amended, 1975, 824 § 1; clause (6), second sentence revised, 1976, 63 § 3; clause (6) stricken out, 1977, 98 § 8; paragraph amended, 1978, 491 § 6; 1980, 214 § 2; 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; stricken out, 1978, 491 § 6A.

SECT. 5, last sentence amended, 1980, 572 § 397. (See 1980, 572 § 417.)

SECT. 7 revised, 1980, 572 § 398. (See 1980, 572 § 417.)

SECT. 8 amended, 1973, 1114 § 21. (See 1973, 1114 § 351.)

SECT. 10 revised, 1977, 98 § 10; 1978, 491 § 7.

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; 1980, 572 § 399. (See 1972, 684 § 136; 1980, 572 § 417.)

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; 1980, 572 § 400. (See 1972, 684 § 136; 1980, 572 § 417.)

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. 6B added, 1979, 469 § 1 (relative to recording documents in the land court or registry of 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; first paragraph revised, 1980, 78 § 4.

SECT. 43 amended, 1937, 101 § 1.

SECT. 44 amended, 1937, 101 § 2.

SECT. 54, first two sentences stricken out and one sentence inserted, 1951, 698; sentence added, 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 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, watercourse or monument); amended, 1973, 185 § 1. (See 1971, 684 § 2; 1973, 185 § 2.)

SECT. 59 added, 1972, 412 § 1 (regulating the imposition of late charges in mortgage transactions); amended, 1978, 78 § 1. (See 1972, 412 § 2; 1978, 78 § 2.)

SECT. 60 added, 1973, 115 (regulating interest rate increases on certain mortgage loans); revised, 1980, 335 § 2. (See 1980, 335 § 3.)

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.)

SECT. 63 added, 1980, 385 § 1 (regulating the charging of pointsin certain mortgage transactions).

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. 12, clause (*c*) revised, 1978, 127 § 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; paragraph added, 1979, 239 § 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; second paragraph revised, 1978, 107. (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); revised, 1978, 127 § 3.

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.

SECT. 30, sentence inserted after first sentence, 1979, 307.

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, introductory paragraph revised, 1978, 478 § 81; first paragraph, clause (*b*) revised, 1935, 318 § 3; clause (*c*) revised, 1935, 318 § 4;

1973, 1114 § 22; clause (*j* ½) 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; second sentence revised, 1978, 478 § 82; 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; 1978, 478 § 343.)

SECT. 2 amended, 1937, 409 § 3; revised, 1978, 478 § 83. (See 1937, 409 § 7; 1978, 478 § 343.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 5 repealed, 1978, 478 § 84. (See 1978, 478 § 343.)

SECT. 6, first sentence stricken out and two sentences inserted, 1953, 449 § 1; last sentence amended, 1949, 447; section revised, 1978, 478 § 85. (See 1953, 449 § 2; 1978, 478 § 343.)

SECT. 7 amended, 1973, 705 § 1; revised, 1978, 478 § 86. (See 1978, 478 § 343.)

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.

SECTS. 10A-13A revised, 1978, 478 § 87. (See 1978, 478 § 343.)

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; section revised, 1978, 478 §§ 88, 89. (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; 1978, 478 § 343.)

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. 43, last sentence revised, 1978, 478 § 90. (See 1978, 478 § 343.)
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. 52, sentence added, 1978, 445 § 1. (See 1978, 445 § 2.)
SECT. 59 revised, 1962, 389; 1970, 336.
SECT. 61, first sentence revised, 1971, 423 § 5.
SECT. 61A added, 1979, 469 § 2 (relative to recording documents in the land court or registry of deeds).
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. 79, second sentence stricken out, 1978, 253.
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.)

Chapter repealed, 1978, 478 § 91. (See 1978, 478 § 343.)

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.)
SECTS. 28-29 revised, 1973, 1114 § 43; repealed, 1974, 700 § 17. (See 1973, 1114 § 351.)

Chapter 185B. — Housing Court of the County of Hampden, Jurisdiction and Powers.

New chapter inserted, 1973, 591 § 1. (See 1973, 591 § 22.)

Chapter repealed, 1978, 478 § 91. (See 1978, 478 § 343.)

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 185C. — Housing Court Department.

New chapter inserted, 1978, 478 § 92.
SECT. 3, first paragraph revised, 1979, 72 § 3. (See 1979, 72 § 4.)
SECT. 19 revised, 1980, 539 § 1. (See 1980, 539 § 14.)

Chapter 186. — Estates for Years and at Will.

SECTS. 1-2 revised, 1978, 305 § 1.
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; sentence inserted after first sentence, 1979, 251; second sentence stricken out and two sentences inserted, 1977, 494 § 2.
SECT. 13 first sentence amended, 1973, 256 § 2; revised, 1976, 294; 1979, 730 § 1; 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 inserted, 1972, 639 § 1; second paragraph amended, 1973, 430 § 11; fourth paragraph, fourth sentence stricken out, 1975, 154; section revised, 1977, 979 § 1; 1978, 553 § 2. (See 1970, 666 § 2; 1972, 639 § 2; 1977, 979 § 4; 1978, 553 § 3.)

SECT. 15C added, 1971, 445 § 1 (regulating the inclusion of tax escalation 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; 1978, 500; first sentence revised, 1979, 730 § 2.

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; revised, 1978, 149 § 1. (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).

SECT. 21 added, 1978, 446 § 7 (requiring disclosure of certain insurance information); revised, 1980, 87.

Chapter 187. — Easements.

SECT. 5 added, 1973, 918 (providing for public utility services in certain easements); revised, 1975, 610; 1980, 251.

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; introductory paragraph revised, 1978, 392 § 1. 1979, 756 § 1; (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1975, 407 § 5; 1978, 392 § 5.)

SECT. 2 amended, 1979, 756 § 2.

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; 1978, 539; 1979, 248.

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; 1978, 392 § 2; 1979, 756 § 2. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1975, 407 § 5; 1978, 392 § 5.)

Chapter 189. — Dower and Curtesy.

SECT. 1 revised, 1978, 305 § 1A.

SECTS. 1A AND 2 repealed, 1971, 423 § 8.

SECT. 3 revised, 1936, 91 § 1; 1971, 423 § 9; 1978, 305 § 2. (See 1936, 91 § 2.)

SECT. 4 revised, 1971, 423 § 10; 1978, 305 § 2.

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.)

SECTS. 14-15 repealed, 1979, 402 § 1.

SECT. 16 added, 1959, 68 § 1 (protecting land titles from certain claims for dower and curtesy). (See 1959, 68 § 2.)

SECTS. 7-16 revised, 1978, 305 § 3.

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.

SECTS. 5-7 revised, 1980, 396.

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; second sentence stricken out, 1978, 380 § 1. (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; 1979, 546 § 1. (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.)
SECT. 13 revised, 1979, 546 § 2.

Chapter 193. — Appointment of Administrators.

SECT. 3 amended, 1938, 328; first sentence revised, 1975, 684 § 80; amended, 1978, 514 § 224. (See 1975, 684 § 97; 1978, 514 § 287.)
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); revised, 1979, 546 § 3. (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); clause (1) revised, 1979, 546 § 4. (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; 1979, 209; 744 § 1; revised, 1975, 263; first sentence amended, 1975, 433; paragraph revised, 1975, 605; amended, 1980, 126 § 1; 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. 16A added, 1979, 744 § 2 (providing for the administration of a small estate in which an executor is named in a will); first paragraph amended, 1980, 126 § 2.

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.

SECTS. 1-2 revised, 1978, 380 § 2.

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; third paragraph revised, 1979, 546 § 6. (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. 6, last sentence revised, 1978, 478 § 93. (See 1978, 478 § 343.)

SECT. 7, first paragraph, third sentence revised, 1979, 546 § 7.

SECT. 9 amended, 1933, 221 § 4; 1954, 552 § 1; revised, 1971, 548 § 1; 1972, 256; 1976, 515 § 15; paragraph added, 1979, 546 § 5. (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.)

SECT. 2, third paragraph revised, 1979, 546 § 6.

SECT. 7, first paragraph, third sentence revised, 1979, 546 § 7.

Chapter 200. — Settlement of Estates of Absentees.

SECT. 1 revised, 1978, 380 § 3.

SECT. 8 amended, 1961, 493 § 29.

SECTS. 1-9 revised, 1980, 178 § 1.

SECT. 10 revised, 1978, 380 § 4.

SECT. 11 repealed, 1980, 178 § 2.

SECT. 12 revised, 1941, 399 § 1.

SECTS. 13-14 stricken out and new section 13 inserted, 1941, 399 § 2.

SECT. 13 revised, 1946, 395; third sentence revised, 1975, 684 § 81; amended, 1978, 514 § 225. (See 1975, 684 § 97; 1978, 514 § 287.)

Chapter 200A. — Abandoned Property.

New chapter inserted, 1950, 801.

SECT. 1, definition of "Abandoned property" revised, 1975, 277 § 1; 1980, 130 § 3; 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. 1A added, 1980, 130 § 4 (relative to certain abandoned property).

SECT. 2 revised, 1975, 608 § 1; paragraph (*a*) amended, 1980, 130 § 5; paragraph (*b*) amended, 1980, 130 § 6.

SECT. 3 amended, 1975, 608 § 2; 1980, 130 § 7.

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.)

SECTS. 4-8A stricken out and sections 4,5,5A,5B,5C,6,6A,6B,6C, 7,7A,7B,8,8A and 8B added, 1980, 130 § 8.

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; paragraphs (*d*) and (*e*) revised, 1980, 130 § 9; 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; paragraph (*e*) revised, 1980, 130 § 10; paragraph (*g*) added, 1980, 130 § 11. (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.)

SECTS. 11-14 stricken out and sections 11, 12, 13, 13A, 13B and 14 added, 1980, 130 § 12.

SECT. 15 amended, 1969, 377 § 17. (See 1969, 377 § 19.)

SECTS. 15A-15C added, 1980, 130 § 13 (relative to certain abandoned property).

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, third and fourth sentences revised, 1978, 381 § 1; last sentence stricken out, 1961, 171.

SECT. 6 amended, 1941, 194 § 13; revised, 1956, 314 § 2; amended, 1974, 845 § 3; fifth sentence revised, 1978, 478 § 94; three sentences inserted after fifth sentence, 1977, 567 § 1. (See 1978, 478 § 343.)

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; last sentence revised, 1978, 478 § 95. (See 1978, 478 § 343.)

SECT. 7 amended, 1941, 914 § 14; revised, 1956, 314 § 3; amended, 1974, 845 § 5.

SECT. 8 amended, 1974, 260 § 27.

SECT. 11 revised, 1978, 381 § 2.

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. 23 repealed, 1978, 381 § 3.

SECT. 24 revised, 1956, 314 § 10; 1963, 350; 1978, 381 § 4.

SECT. 25 amended, 1970, 888 § 23; revised, 1978, 381 § 4. (See 1970, 888 § 31.)

SECT. 26 revised, 1956, 314 § 11; amended, 1971, 423 § 12.

SECT. 30 amended, 1939, 57.

SECT. 32 repealed, 1970, 120 § 3.

SECT. 33 amended, 1950, 420; sentence inserted after first sentence, 1954, 478 § 2; section revised, 1956, 314 § 12.

SECT. 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. 41 revised, 1978, 381 § 5.

SECT. 42 revised, 1956, 314 § 13; amended, 1974, 845 § 13.

SECT. 43 revised, 1956, 314 § 14; amended, 1974, 845 § 14; revised, 1978, 381 § 6.

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); revised, 1978, 381 § 7.

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; 1978, 514 § 226. (See 1978, 514 § 287.)

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); amended, 1978, 514 § 227. (See 1978, 514 § 287.)

SECT. 21A added, 1962, 481 § 1 (further defining trust income); revised, 1966, 465; amended, 1967, 422. (See 1962, 481 §§ 2, 3.)

SECT. 21B added, 1978, 465 (relative to non-amortization of bond premiums).

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. 26 revised, 1980, 178 § 3.

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; 1978, 514 § 228. (See 1978, 514 § 287.)

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.)

SECT. 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.)

SECTS. 19-20 revised, 1979, 718 § 1.

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.

SECTS. 21-22 repealed, 1979, 376.

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; 1979, 718 § 2.

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, first paragraph amended, 1979, 362 § 1; third paragraph amended, 1977, 531 § 1; revised, 1979, 362 § 2.

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, 1943, 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; third sentence revised, 1978, 478 § 96. (See 1975, 400 § 79; 1978, 478 § 343.)

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. 34C added, 1978, 447 § 1 (providing for notice to law enforcement agencies of certain orders of the court).

SECT. 35 amended, 1950, 57; 1975, 400 § 36. (See 1975, 400 § 79.)

SECT. 36 revised, 1975, 400 § 37; 1977, 495; paragraph added, 1979, 522 § 1; sentence inserted after first sentence, 1980, 197 § 1. (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; section revised, 1979, 727.
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. 12 repealed, 1979, 306.
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; 1978, 392 § 3; 1979, 756 § 3. (See 1939, 32 § 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1978, 392 § 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. 32E revised, 1979, 522 § 2; sentence inserted after first sentence, 1980, 197 § 2.
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 209A. — Abuse Prevention.

New chapter inserted, 1978, 447 § 2.

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; section amended, 1978, 552 § 33; (affected, 1973, 560).

SECT. 2A added, 1954, 649 § 1 (providing certain requirements relative to petitions for adoption); paragraph (A) amended, 1978, 552 § 34; paragraph (E) revised, 1957, 184; amended, 1978, 552 § 35. 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; paragraph (*b*) amended, 1978, 552 § 36. (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; amended, 1978, 552 § 37.

SECT. 4A added, 1976, 421 (providing for certain rights of fathers of children born out of wedlock); amended, 1978, 552 § 38.

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; section amended, 1978, 552 § 39; second paragraph amended, 1978, 552 § 40.

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; revised, 1978, 552 § 41; 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. 2A added, 1978, 478 § 97 (requiring chief justice to prepare certain expense statements). (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 98. (See 1977, 234 § 198; 872 § 204; 1978, 478 § 343.)

SECT. 3B revised, 1960, 424; first sentence revised, 1970, 567; section revised, 1978, 478 § 98. (See 1978, 478 § 343.)

SECTS. 3C-3F repealed, 1978, 478 § 99. (See 1978, 478 § 343.)

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; clause (2) revised, 1978, 478 § 100. (See 1973, 1114 § 351; 1978, 478 § 343.)

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; 1978, 478 §§ 101, 102. (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; 1978, 478 § 343.)

SECTS. 23-24 revised, 1978, 478 § 103. (See 1978, 478 § 343.)

Chapter 211A. — Appeals Court.

New Chapter inserted, 1972, 740 § 1.

SECT. 1 revised, 1978, 478 § 104. (See 1978, 478 § 343.)

SECT. 2, first sentence revised, 1973, 428 § 4, 856 § 3; 1974, 558 § 3; 1977, 234 §§ 139-141; 1977, 872 §§ 136-138; 1978, 478 §§ 105-106. (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198; 872 § 204; 1978, 478 § 343.)

SECT. 6 revised, 1974, 784; second paragraph, third sentence revised, 1977, 234 §§ 142-144, 872 §§ 139-141; section revised, 1978, 478 § 107. (See 1977, 234 § 198, 872 § 204; 1978, 478 § 343.)

SECT. 7 revised, 1978, 478 § 108. (See 1978, 478 § 343.)

SECT. 10 revised, 1979, 344 § 2. (See 1979, 344 § 51.)

SECT. 16 added, 1978, 478 § 109 (relative to the assignment of certain retired justices). (See 1978, 478 § 343.)

Chapter 211B. — Trial Court of the Commonwealth.

New chapter inserted, 1978, 478 § 110. (See 1978, 478 § 343.)

SECT. 1 revised, 1978, 478 § 111; amended, 1980, 575 § 1. (See 1978, 478 § 343.)

SECT. 2 revised, 1978, 478 § 112; amended, 1980, 575 § 2. (See 1978, 478 § 343.)

SECT. 4 revised, 1978, 478 § 113. (See 1978, 478 § 343.)

SECT. 10, second paragraph, first sentence revised, 1980, 105.

Chapter 211C. — Commission on Judicial Conduct.

New chapter inserted, 1978, 478 § 114. (See 1978, 478 § 343.)

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; 1978, 478 § 115; first paragraph amended, 1978, 478 § 116; two paragraphs inserted after first paragraph, 1979, 762 § 1; last paragraph revised, 1979, 762 § 2. (See 1978, 478 § 343; 1979, 762 § 19.)

SECT. 2 revised, 1978, 478 § 115; second paragraph revised, 1979, 762 § 2A; fourth paragraph, third sentence revised, 1979, 762 § 3. (See 1978, 478 § 343; 1979, 762 § 19.)

SECT. 3 amended, 1973, 1114 § 51; first paragraph stricken out and two paragraphs inserted, 1979, 762 § 4. (See 1973, 1114 § 351; 1979, 762 § 19.)

SECT. 4, clause (*e*) revised, 1979, 762 § 5; clause (*j*) revised, 1979, 762 § 6; clause (*m*) added, 1979, 762 § 7. (See 1979, 762 § 19.)

SECT. 5 amended, 1979, 762 § 8; paragraph added, 1979, 762 § 9. (See 1979, 762 § 19.)

SECT. 6 amended, 1953, 319 § 24; first sentence revised, 1978, 478 § 117. second paragraph amended, 1979, 762 § 10; fourth paragraph stricken out, two paragraphs inserted, 1979, 762 § 11. (See 1953, 319 §§ 39, 40; 1978, 478 § 343; 1979, 762 § 19.)

SECT. 8 revised, 1973, 1114 § 52; third sentence revised, 1975, 599 § 3. section amended, 1979, 762 § 12. (See 1973, 1114 § 351; 1979, 762 § 19.)

SECT. 8A, second paragraph revised, 1979, 762 § 13. (See 1979, 762 § 19.)

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; revised, 1978, 478 § 118. (For prior temporary legislation, see 1927, 306; 1928, 228.) (See 1973, 1114 § 351; 1978, 478 § 343.)

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. 14B-14F repealed, 1978, 478 § 119. (See 1978, 478 § 343.)

SECTS. 15-18 repealed, 1932, 144 § 3.

SECT. 19 revised, 1978, 478 § 120; 1979, 762 § 14. (See 1978, 478 § 343; 1979, 762 § 19.)

SECT. 20A added, 1949, 139 (relative to central pools of jurors summoned for attendance upon the superior court); second paragraph amended, 1967, 541; section revised, 1978, 478 § 121. (See 1978, 478 § 343.)

SECT. 21, first sentence revised, 1978, 478 § 122. (See 1978, 478 § 343.)

SECT. 22 amended, 1934, 287; 1943, 135 § 1; first and second sentences stricken out and one sentence inserted, 1978, 478 § 123; sentence added, 1943, 244 § 3. (See 1943, 145 § 2; 1978, 478 § 343.)

SECT. 23 revised, 1978, 478 § 124. (See 1978, 478 § 343.)

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.

SECTS. 27-28 repealed, 1978, 478 § 125. (See 1978, 478 § 343.)

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; last sentence revised, 1978, 478 § 126. (See 1973, 1114 § 351; 1978, 478 § 343.)

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.

SECT. 8 revised, 1978, 478 § 127. (See 1978, 478 § 343.)

Chapter 214. — Equity Jurisdiction (former title, Equity Jurisdition 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. 3, subsections (12) and (13) added, 1979, 495.

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. 1 revised, 1978, 478 § 128. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 129. (See 1964, 631 § 2; 1978, 478 § 343.)

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; revised, 1978, 304 § 1. (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; repealed, 1978, 478 § 130. (See 1978, 478 § 343.)

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; sentence added, 1979, 522 § 3. (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. 53 revised, 1978, 478 § 131. (See 1978, 478 § 343.)

SECTS. 54-56 revised, 1978, 478 § 132. (See 1978, 478 § 343.)

SECT. 56A revised, 1975, 400 § 72; third sentence revised, 1978, 478 § 133. (See 1975, 400 § 79; 1978, 478 § 343.)

SECT. 56B added, 1971, 947 (authorizing the appointment of a guardian ad litem to institute contempt proceedings involving minors); revised, 1975, 400 § 73; second sentence revised, 1978, 478 § 134. (See 1975, 400 § 79; 1978, 478 § 343.)

SECT. 58 revised, 1947, 449 § 4; 1975, 400 § 74. (See 1947, 449 § 7; 1975, 400 § 79.)

SECT. 60 revised, 1975, 400 § 75; 1980, 70. (See 1975, 400 § 79.)

SECT. 61 repealed, 1939, 65 § 1. (See 1939, 65 § 2.)

SECT. 62, introductory paragraph revised, 1978, 478 § 135; 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 § 1; 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; 1978, 478 § 343.)

SECT. 63 revised, 1978, 478 § 136. (See 1978, 478 § 343.)

Chapter 216. — Courts of Insolvency.

SECT. 14 amended, 1973, 705 § 2.

SECT. 149 amended, 1978, 514 § 229. (See 1978, 514 § 287.)

Chapter repealed, 1978, 478 § 137. (See 1978, 478 § 343.)

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; 1978, 478 § 138; first sentence revised, 1980, 575 § 3. (See 1978, 478 § 343.)

SECT. 2 amended, 1934, 290; 1935, 434 § 2; first sentence revised, 1949, 716 § 2, 717, 738 § 2; 1960, 817 § 1; 1964, 675; 1973, 1129; 1979, 741; 1980, 575 § 4.

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; section repealed, 1978, 478 § 139. (See 1967, 841 § 3; 1978, 478 § 343.)

SECT. 3, sentence added, 1949, 436 § 1; revised, 1951, 517; section revised, 1963, 756 § 1B; 1975, 862 § 1; repealed, 1978, 478 § 140. (See 1975, 862 § 12; 1978, 478 § 343.)

SECT. 3A added, 1975, 820 § 2 (providing for temporary service by retired judges of probate and insolvency); repealed, 1978, 478 § 141. (See 1975, 820 § 5; 1978, 478 § 343.)

SECT. 3B added, 1978, 478 § 142 (providing for a special judge of probate and insolvency in the county of Hampshire). (See 1978, 478 § 343.)

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; repealed, 1978, 478 § 143. (See 1975, 862 § 12; 1978, 478 § 343.)

SECT. 6A added, 1978, 478 § 144 (prohibiting certain justices from receiving fees, emoluments and other benefits). (See 1978, 478 § 343.)

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.

SECTS. 8-8A revised, 1978, 478 § 145. (See 1978, 478 § 343.)

SECT. 9 revised, 1975, 400 § 76. (See 1975, 400 § 79.)

SECT. 15, second sentence revised, 1978, 478 § 146. (See 1978, 478 § 343.)

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. 15C added, 1978, 391.

SECT. 16 amended, 1975, 684 § 82; 1978, 514 § 230. (See 1975, 684 § 97; 1978, 514 § 287.)

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. 23 revised, 1978, 478 § 147. (See 1978, 478 § 343.)

SECT. 23A added, 1978, 478 § 148 (providing for the appointment of assistant registers of probate); revised, 1980, 238 § 1. (See 1978, 478 § 343.)

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.)

SECTS. 24-24B, 25-25A repealed, 1978, 478 § 149. (See 1978, 478 § 343.)

SECT. 27A revised, 1978, 478 § 150. (See 1978, 478 § 343.)

SECT. 28 amended, 1977, 678; revised, 1978, 478 § 151. (See 1978, 478 § 343.)

SECT. 29, first sentence revised, 1978, 393 § 40; sentence added, 1958, 539; 1978, 478 § 152. (See 1978, 393 § 45, 478 § 343.)

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. 29A, sentence added, 1978, 478 § 153. (See 1978, 478 § 343.)

SECT. 29B, sentence added, 1978, 478 § 154. (See 1978, 478 § 343.)

SECT. 30 revised, 1935, 143 § 1;*

*Void for non-acceptance.

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; 1978, 478 § 155. (See 1935, 313 § 3; 1936, 252 § 2; 1941, 226 § 2; 1960, 575 § 2; 1978, 478 § 343.)

SECT. 31 amended, 1951, 793 § 2; revised, 1978, 478 § 156; 1980, 237 § 1. (See 1978, 478 § 343; 1980, 237 § 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. 31A, 32, 32A-32C, 34 repealed, 1978, 478 § 157. (See 1978, 478 § 343.)

SECT. 34A added, 1978, 478 § 158 (establishing the salary of a certain judge for Dukes county); repealed, 1978, 478 § 159. (See 1978, 478 § 343.)

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; 1978, 478 §§ 159A, 160. (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; 1978, 478 § 343.)

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; 1978, 478 § 161. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3; 1977, 234 § 198, 872 § 204; 1978, 478 § 343.)

SECT. 38 repealed, 1937, 408 § 2.

SECT. 39 revised, 1978, 478 § 162. (See 1978, 478 § 343.)

SECT. 40 revised, 1937, 408 § 6; 1963, 819 § 4; 1967, 644; 1971, 680 § 3; repealed, 1975, 862 § 4; 1978, 478 § 163. (See 1937, 408 § 9; 1975, 862 § 12; 1978, 478 § 343.)

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; section revised, 1978, 478 § 164. (See 1978, 478 § 343.)

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, introductory paragraph stricken out and two paragraphs inserted, 1978, 478 § 165; first paragraph under caption "*Franklin*" revised, 1932, 87 § 1; section amended, 1939, 451 § 59; second paragraph under caption "*Franklin*" revised, 1979, 343 § 1; 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; twelve paragraphs under caption "*Middlesex*" revised, 1978, 478 § 171; third paragraph under caption "*Norfolk*" revised, 1949, 590 § 1; paragraphs under said caption revised, 1960, 715 § 4; fourth paragraph under caption "*Norfolk*" revised, 1980, 550 § 1; 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; six paragraphs under caption "*Berkshire*" stricken out and three paragraphs inserted, 1978, 478 § 166; 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; 1978, 478 § 169; second paragraph under caption "*Worcester*" revised, 1979, 343 § 2; third paragraph under caption "*Worcester*" revised, 1971, 821 § 2; sixth paragraph under

caption "*Worcester*" revised, 1968, 342 § 1; 1970, 713 § 2; eighth paragraph under caption "*Worcester*" revised, 1978, 478 § 170; seventh paragraph under caption "*Suffolk*" revised, 1965, 659 § 4; seventh, eighth and ninth paragraphs under caption "*Suffolk*" revised, 1978, 478 § 167; paragraph inserted after ninth paragraph under caption "*Suffolk*", 1978, 478 § 168; 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; seventh paragraph under caption "*Worcester*" revised, 1980, 550 § 2. paragraph added, 1980, 83. (See 1949, 590 §§ 2-4, 739; 1951, 758; 1965, 659 § 7; 1972, 446 § 7; 1978, 478 § 343.)

SECT. 2, second paragraph under caption "*Worcester*" revised, 1979, 343 § 2.

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; third paragraph, last sentence 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; section revised, 1978, 478 §§ 172-173. (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; 1978, 478 § 343.)

SECT. 6A added, 1975, 862 § 6 (providing for temporary service by certain retired justices of the superior court); revised, 1978, 478 § 174; paragraph (b), clause (5) revised, 1980, 527 § 1. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 175. (See 1961, 526 § 3; 1978, 478 § 343.)

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; section revised, 1978, 478 § 176; first paragraph amended, 1980, 354 § 16A; second paragraph amended, 1980, 354 § 16B; second and third paragraphs revised, 1980, 559. (See 1978, 478 § 343; 1980, 354 § 23.)

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; section revised, 1978, 478 § 177. (See 1961, 526 § 3; 1978, 478 § 343.)

SECT. 12, last sentence revised, 1978, 478 § 178. (See 1978, 478 § 343.)

SECT. 13 revised, 1937, 59; first paragraph stricken out, 1939, 157 § 1; section revised, 1978, 478 § 179. (See 1939, 157 § 4; 1978, 478 § 343.)

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; 1978, 478 § 180. (See 1939, 230 § 2; 1947, 460 § 2; 1956, 738 §§ 13, 14; 1978, 478 § 343.)

SECT. 16 revised, 1937, 219 § 3; 1939, 214 § 5; first sentence revised, 1978, 478 § 181. (See 1978, 478 § 343.)

SECT. 17, sentence added, 1956, 738 § 12; section revised, 1978, 478 § 182. (See 1956, 738 §§ 13, 14; 1978, 478 § 343.)

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); first paragraph amended, 1978, 478 § 183; second paragraph, first sentence revised, 1975, 377 § 6. (See 1969, 419 § 2; 1975, 377 § 164; 1978, 478 § 343.)

SECT. 19C added, 1970, 582 (providing certain equity powers to district courts); second paragraph revised, 1978, 478 § 184. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 185. (See 1964, 496 § 2; 1967, 21 § 2; 1970, 106 § 2; 1971, 271 § 2; 1975, 377 § 164; 1976, 266 § 23; 1978, 478 § 343.)

SECT. 22 amended, 1937, 310; first sentence revised, 1954, 328 § 1; 1971, 858 § 2; 1975, 377 § 9; 1980, 539 § 2; fifth sentence amended, 1975, 377 § 10; paragraph added, 1978, 478 § 186. (See 1954, 328 § 4; 1975, 377 § 164; 1978, 478 § 343; 1980, 539 § 14.)

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; revised, 1978, 478 § 187; 1980, 122. (See 1937, 301 § 2; 1938, 365 § 2; 1978, 478 § 343.)

SECT. 26A added, 1978, 478 § 188 (providing for trials by a jury of six in the district court department and the Boston municipal court). (See 1978, 478 § 343.)

SECT. 27A added, 1972, 620 § 1 (providing for trial by a jury of six of certain criminal cases in certain district courts); revised, 1978, 478, 189; paragraph (*d*), first sentence revised, 1979, 344 § 3; paragraph (*g*), third sentence revised, 1979, 344 § 4. (See 1972, 620 § 2; 1978, 478 § 343; 1979, 344 § 51.)

SECT. 29 amended, 1932, 55; repealed, 1964, 308 § 10.

SECT. 30 amended, 1941, 194 § 19; 1970, 888 § 25; second sentence stricken out, 1979, 344 § 5. (See 1970, 888 § 31; 1979, 344 § 51.)

SECT. 31 amended, 1978, 478 § 190. (See 1978, 478 § 343.)

SECT. 32 amended, 1958, 48 § 1.

SECT. 33 revised, 1978, 478 § 191. (See 1978, 478 § 343.)

SECT. 35, sentence added, 1964, 201; paragraph added, 1975, 552; amended, 1978, 478 § 192. (See 1978, 478 § 343.)

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; three paragraphs added, 1978, 478 § 193. (See 1943, 349 § 2; 1978, 478 § 343.)

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; 1978, 478 § 194. (See 1978, 478 § 343.)

SECT. 39 revised, 1963, 810 § 4; 1978, 478 § 195. (See 1978, 478 § 343.)

SECT. 40, fourth sentence revised, 1948, 398 § 1; section revised, 1963, 810 § 5; 1975, 862 § 7; 1978, 478 § 196. (See 1978, 478 § 343.)

SECT. 42A added, 1978, 478 § 197 (establishing the administrative head of the district court department). (See 1978, 478 § 343.)

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).

SECTS. 43-43B revised, 1978, 478 § 198. (See 1978, 478 § 343.)

SECT. 43C, first sentence amended, 1971, 867 § 1; section repealed, 1978, 478 § 199. (See 1978, 478 § 343.)

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); revised, 1978, 478 § 200. (See 1967, 852 § 4; 1978, 478 § 343.)

SECT. 44 amended, 1978, 478 § 201. (See 1978, 478 § 343.)

SECTS. 45-46 repealed, 1975, 377 § 15. (See 1975, 377 § 164.)

SECT. 47 revised, 1978, 478 § 202. (See 1978, 478 § 343.)

SECT. 49, second sentence revised, 1978, 478 § 203. (See 1978, 478 § 343.)

SECT. 50 revised, 1963, 810 § 9; first paragraph, two sentences added, 1975, 587 § 7; section revised, 1978, 478 § 204. (See 1963, 810 § 20; 1978, 478 § 343.)

SECT. 51 repealed, 1978, 478 § 205. (See 1978, 478 § 343.)

SECT. 51A added, 1978, 478 § 206 (establishing the administrative head of the Boston municipal court department). (See 1978, 478 § 343.)

SECT. 52, third sentence amended, 1948, 398 § 2, sixth sentence revised, 1949, 462; 1961, 534; 1970, 623; 1975, 587 § 8; section revised, 1978, 478 § 207. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 208. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 209. (See 1978, 478 § 343.)

SECT. 54 revised, 1975, 377 § 16; 836 § 1. (See 1975, 377 § 164.)

SECT. 55 amended, 1964, 533 § 1; revised, 1978, 478 § 210. (See 1964, 533 § 2; 1978, 478 § 343.)

SECT. 56 revised, 1978, 478 § 211. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 212. (See 1965, 659 § 7; 1978, 478 § 343.)

SECT. 57A added, 1978, 478 § 212 (establishing the administrative head of the juvenile court department). (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 213. (See 1936, 282 § 3; 1963, 810 § 21; 1977, 241 § 4; 1978, 478 § 343.)

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. 58C added, 1978, 478 § 214 (requiring full-time duty of certain special justices). (See 1978, 478 § 343.)

SECT. 59, paragraph added, 1948, 248 § 1; section revised, 1969, 859 § 16A; second paragraph revised, 1978, 478 § 215. (See 1978, 478 § 343.)

SECT. 60, first sentence amended, 1962, 722 § 9; section revised, 1964, 308 § 11; 1965, 659 § 6; 1969, 859 § 17; second sentence revised, 1978, 478 § 216. (See 1964, 308 § 13; 1978, 478 § 343.)

SECT. 61, first sentence revised, 1971, 82 § 1; second sentence revised, 1971, 704.

SECT. 62 amended,* 1932, 235 § 1; revised,*

*Void for non-acceptance.

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; second paragraph revised, 1978, 565. (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; amended, 1978, 478 § 217. (See 1978, 478 § 343.)

SECT. 63, revised, 1935, 341; 1969, 81; 1978, 478 § 218. (See 1978, 478 § 343.)

SECT. 64 amended, 1978, 478 § 219. (See 1978, 478 § 343.)

SECT. 65, last sentence stricken out, 1949, 621.

SECT. 67 amended, 1978, 478 § 220. (See 1978, 478 § 343.)

SECT. 69 revised, 1977, 478 § 221. (See 1978, 478 § 343.)

SECT. 70, sentence added, 1969, 859 § 18; revised, 1972, 731 § 17; section revised, 1978, 478 § 222. (See 1978, 478 § 343.)

SECT. 74 revised, 1963, 810 § 11; 1978, 478 § 223. (See 1978, 478 § 343.)

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.)

SECTS. 75-77B repealed, 1978, 478 § 224. (See 1978, 478 § 343.)

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; 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; section revised, 1978, 478 §§ 225-226. (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; 1978, 478 § 343.)

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; two paragraphs added, 1978, 478 § 227. (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; 1978, 478 § 343.)

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; 1978, 478 § 228. (See 1947, 400 §§ 3, 4; 1951, 288 § 2; 1978, 478 § 343.)

SECT. 81 revised, 1939, 296 § 1; amended, 1956, 738 § 7; revised, 1963, 810 § 17; 1978, 478 § 229. (See 1939, 296 § 3; 1956, 738 §§ 13, 14; 1978, 478 § 343.)

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; 1980, 330. (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. 1 revised, 1978, 478 § 230. (See 1978, 478 § 343.)

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; 1978, 478 § 231. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3; 1955, 354 § 2; 1961, 355 § 2; 1978, 478 § 343.)

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; section revised, 1978, 478 § 232; first paragraph amended, 1979, 562. (See 1943, 336 § 3; 1958, 327 § 2; 1963, 502 § 2, 746 § 2, 1966, 532 § 2; 1970, 511 § 2; 1978, 478 § 343.)

SECT. 5A added, 1978, 478 § 233 (requiring full-time duty for certain assistant clerks). (See 1978, 478 § 343.)

SECT. 6 amended, 1954, 342 § 1; 1957, 555 § 1; 1964, 710 § 1; revised, 1973, 1114 § 74; repealed, 1978, 478 § 234. (See 1964, 710 § 2; 1973, 1114 § 351; 1978, 478 § 343.)

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; amended, 1978, 478 § 235. (See 1949, 774 § 5; 1973, 1114 § 351; 1978, 478 § 343.)

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; amended, 1978, 478 § 236. (See 1973, 1114 § 351; 1978, 478 § 343.)

SECT. 6C added, 1970, 593 (providing for the designation of an assistant clerk for criminal business in the Essex Superior Court); amended, 1978, 478 § 237. (See 1978, 478 § 343.)

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. 6E amended, 1978, 478 § 238. (See 1978, 478 § 343.)

SECT. 6F amended, 1978, 478 § 239. (See 1978, 478 § 343.)

SECT. 6G amended, 1978, 478 § 240. (See 1978, 478 § 343.)

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); amended, 1978, 478 § 241. (See 1978, 478 § 343.)

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); amended, 1978, 478 § 242. (See 1978, 478 § 343.)

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); amended, 1978, 478 § 243. (See 1978, 478 § 343.)

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; second sentence stricken out, two sentences inserted, 1978, 478 § 244. (See 1978, 478 § 343.)

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. 32 revised, 1978, 478 § 245. (See 1978, 478 § 343.)

SECT. 34A revised, 1977, 698; 1978, 478 § 246. (See 1978, 478 § 343.)

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 indignant mentally ill).

SECT. 35 amended, 1949, 574 § 1; paragraph added, 1980, 256 § 1.

SECT. 36 amended, 1945, 157; last sentence revised, 1957, 748 § 1; paragraph added, 1980, 256 § 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; section revised, 1980, 539 § 3. (See 1972, 684 § 136; 1973, 925 § 84; 1980, 539 § 14.)

SECT. 43 revised, 1939, 197 § 1.

SECTS. 44A AND 44B added, 1939, 197 § 2 (prohibiting employees and other persons connected with hospitals from furnishing certain information about certain personal injury cases to attorneys at law).

SECT. 44A amended, 1943, 293.

SECT. 46 revised, 1935, 346 § 1; paragraph added, 1963, 654 § 4.

SECTS. 46A AND 46B added, 1935, 346 § 2 (prohibiting individuals, not members of the bar from practicing law or attempting so to do and providing a means of restraining unauthorized practice of law).

SECT. 46B amended, 1947, 75; 1955, 697 § 2.

SECT. 46C added, 1955, 697 § 1 (relative to debt pooling plans).

SECT. 46D added, 1969, 421 § 1 (providing that credit counseling corporations shall not be deemed to be illegally practicing law).

SECT. 47 repealed, 1935, 346 § 3.

SECT. 49 repealed, 1935, 346 § 3.

SECT. 50 stricken out, and sections 50, 50A, 50B inserted, 1945, 397 § 1. (See 1945, 397 § 3.)

SECT. 53 amended, 1939, 151; 1954, 385 § 1. (See 1954, 385 § 2.)

SECT. 55 revised, 1978, 478 § 247. (See 1978, 478 § 343.)

SECT. 56, first sentence revised, 1973, 1114 § 80; repealed, 1975, 377 § 17. (See 1973, 1114 § 351; 1975, 377 § 164.)

SECT. 57 revised, 1979, 612 § 1.

SECT. 58 amended, 1932, 40 § 1; first sentence amended, 1973, 1114 § 81; 1975, 377 § 18; section revised, 1979, 612 § 2. (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. 61 revised, 1978, 478 § 248. 1979, 612 § 3. (See 1978, 478 § 343.)

SECT. 62 revised, 1979, 612 § 4.

SECT. 62A revised, 1973, 1114 § 82; 1978, 478 § 249; 1979, 612 § 5. (See 1973, 1114 § 351; 1978, 478 § 343.)

SECTS. 62B-62C added, 1978, 478 § 250 (providing for the title of magistrate in certain court departments). (See 1978, 478 § 343.)

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 bale and distribution of certain decisions).

SECT. 66 revised, 1978, 478 § 251. (See 1978, 478 § 343.)

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.)

SECTS. 69-73 revised, 1978, 478 § 252. (See 1978, 478 § 343.)

SECT. 73A added, 1938, 347 § 2; amended, 1941, 448 § 2; repealed, 1945, 388 § 2. (See 1938, 347 § 3; 1941, 448 § 3.)

SECT. 73A added, 1978, 478 § 252 (relative to salaries of certain court officers). (See 1978, 478 § 343.)

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.)

SECTS. 75-80 revised, 1978, 478 § 253. (See 1978, 478 § 343.)

SECT. 82, sentence added, 1973, 562.

SECT. 86 revised, 1967, 316.

SECT. 88 amended, 1947, 179; 1957, 85; revised, 1958, 56; 1969, 261; 1978, 478 § 254. (See 1978, 478 § 343.)

SECT. 90A, last sentence revised, 1951, 82; 1962, 312.

SECT. 91 revised, 1947, 469 § 2; 1972, 492 § 2. (See 1947, 468 §§ 4, 5.)

SECTS. 90A, 91 revised, 1978, 478 § 255. (See 1978, 478 § 343.)

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.)

SECTS. 92-93 revised, 1978, 478 § 256. (See 1978, 478 § 343.)

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; section revised, 1978, 478 §§ 257-258; paragraph inserted after second paragraph under caption "*SUPERIOR COURT DEPARTMENT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK*", 1979, 701. (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; 1978, 478 § 343.)

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.)

SECT. 99 revised, 1978, 478 § 259. (See 1978, 478 § 343.)

SECT. 100 revised, 1978, 478 § 260. (See 1978, 478 § 343.)

SECT. 102 revised, 1978, 478 § 261. (See 1978, 478 § 343.)

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, 337 § 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; 1973, 699 § 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; 1979, 164 § 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; 1979, 164 § 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 occured 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; revised, 1980, 322 § 2. (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; revised, 1980, 322 § 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, 1973, 1114 § 158. (See 1973, 1114 § 351.)

SECTS. 9-17 revised, 1973, 1114 § 159. (See 1973, 1114 § 351.)

SECT. 18 amended, 1973, 1114 § 160. (See 1973, 1114 § 351.)

SECTS. 19-28 revised, 1973, 1114 § 161. (See 1973, 1114 § 351.)

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, 118 § 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; amended, 1979, 502. (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; section revised, 1979, 172.

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).

SECT. 85R added, 1980, 317 (relative to the liability of persons who conduct certain races and regattas).

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; section revised, 1978, 478 § 262. (See 1958, 369 § 4; 1967, 767 § 4; 1973, 1114 § 351; 1975, 377 § 164; 1978, 478 § 343.)

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; 1978, 478 § 263; 1980, 539 § 4. (See 1975, 123 § 2; 377 § 164; 1978, 478 § 343; 1980, 539 § 14.)

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; first two paragraphs revised, 1978, 478 § 264; 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; 1978, 478 § 343.)

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. 3 revised, 1979, 344 § 7. (See 1979, 344 § 51.)

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. 20H revised, 1979, 344 § 8. (See 1979, 344 § 51.)

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; second paragraph amended, 1978, 302 § 1, 478 § 265; paragraph added, 1978, 302 § 2. (See 1935, 257 § 12, 1949, 347 § 5; 1973, 925 § 84; 1978, 478 § 343.)

SECT. 1A added, 1949, 347 § 2 (relative to excusing certain persons from jury service); second paragraph revised, 1978, 41 § 1. (See 1949, 347 § 5; 1978, 41 § 2.)

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 second sentence, 1980, 177; 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 summonsing jurors).

SECT. 24A amended, 1973, 397 § 1.

SECTS. 25 AND 26 stricken out, and sections 25, 26, 26A, 26B inserted, 1945, 428 § 1 (providing for emergency jurors and for the waiver of a full jury). (See 1945, 428 § 3.)

SECT. 25, first sentence amended, 1955, 38 § 3; 1973, 397 § 2; sentence inserted after second sentence, 1979, 255 § 1; third sentence amended, 1949, 347 § 4. (See 1949, 347 § 5.)

SECT. 26A repealed, 1979, 344 § 9. (See 1979, 344 § 51.)

SECT. 26B amended, 1965, 355 § 1; 1967, 285; first paragraph amended, 1979, 344 § 9A; paragraph added, 1979, 255 § 2. (See 1965, 355 § 2; 1979, 344 § 51.)

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; section revised, 1979, 344 § 10. (See 1945, 428 § 3; 1955, 485 § 2; 1979, 344 § 51.)

SECT. 31 repealed, 1979, 344 § 11. (See 1979, 344 § 51.)

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.)

SECT. 2, fifth sentence revised, 1979, 393 § 46. (See 1979, 393 § 73.)

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. 4, second sentence revised, 1980, 152.

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; 1978, 392 § 4; first sentence revised, 1979, 756 § 4; section revised, 1980, 261 § 27B. (See 1939, 32

§ 5; 1970, 119 § 5; 1973, 487 § 5; 1974, 750 § 5; 1975, 407 § 5; 1978, 392 § 5.)

SECT. 31, first sentence revised, 1979, 168.

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.)

SECT. 23 amended, 1973, 1114 § 230. (See 1973, 1114 § 351.)

SECT. 24 amended, 1973, 1114 § 231. (See 1973, 1114 § 351.)

SECTS. 25-31 revised, 1973, 1114 § 232. (See 1973, 1114 § 351.)

SECT. 32 amended, 1973, 1114 § 233. (See 1973, 1114 § 351.)

SECTS. 33-38 revised, 1973, 1114 § 234. (See 1973, 1114 § 351.)

SECT. 39 amended, 1973, 1114 § 235. (See 1973, 1114 § 351.)

SECT. 41 revised, 1973, 1114 § 236. (See 1973, 1114 § 351.)

SECTS. 43 AND 44 revised, 1973, 1114 § 237. (See 1973, 1114 § 351.)

Chapter 238. — Writs of Dower.

Chapter repealed, 1979, 402 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1978.

SECT. 1 amended, 1973, 1114 § 238. (See 1973, 1114 § 351.)

SECT. 8 revised, 1973, 1114 § 239. (See 1973, 1114 § 351.)

SECT. 10 revised, 1973, 1114 § 240. (See 1973, 1114 § 351.)

Chapter 239. — Summary Process for Possession of Land.

SECT. 1 amended, 1941, 242 § 1; first sentence amended, 1952, 151 § 1; 1953, 106.

SECT. 1A added, 1973, 778 § 3 (regulating evictions by lessors of residential land or tenements).

SECT. 2 revised, 1960 463 § 1; amended, 1973, 488; revised, 1975, 377 § 123; revised, 1977, 636. (See 1960 463 #YSM 2; 1975, 377 § 164.)

SECT. 2A added, 1969, 701 § 2 (providing a defense for certain tenants in summary process actions); revised, 1972, 99 § 2; amended, 1973, 858 § 4; revised, 1978, 149 § 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; second sentence revised, 1979, 198 § 1; fifth paragraph, last sentence revised, 1979, 198 § 2.

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; first paragraph revised, 1980, 318 § 2.

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; amended, 1978, 514 § 231. (See 1973, 1114 § 352; 1975, 377 § 164; 1978, 514 § 287.)

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 248. — Habeas Corpus and Personal Liberty.

SECT. 25 revised, 1979, 344 § 12. (See 1979, 344 § 51.)

SECT. 40 revised, 1978, 478 § 266. (See 1978, 478 § 343.)

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.)

SECTS. 1-2 repealed, 1979, 344 § 13. (See 1979, 344 § 51.)

SECTS. 9-12 repealed, 1979, 344 § 13. (See 1979, 344 § 51.)

SECT. 13 revised, 1979, 344 § 14. (See 1979, 344 § 51.)

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; repealed, 1978, 512 § 14. (See 1978, 512 § 16.)

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 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; repealed, 1978, 512 § 14. (See 1978, 512 § 16.)

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. 7, paragraph (*e*) added, 1978, 314 § 1 (relative to the production of documents and things).

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.)

SECTS. 21-22 revised, 1973, 1114 § 307. (See 1973, 1114 § 351.)
SECT. 23 amended, 1973, 1114 § 308. (See 1973, 1114 § 351.)
SECT. 24 amended, 1973, 1114 § 309. (See 1973, 1114 § 351.)
SECT. 26 amended, 1973, 1114 § 310. (See 1973, 1114 § 351.)
SECT. 27 amended, 1973, 1114 § 311. (See 1973, 1114 § 351.)
SECTS. 28-30 revised, 1973, 1114 § 312. (See 1973, 1114 § 351.)
SECT. 31 repealed, 1973, 1114 § 313. (See 1973, 1114 § 351.)
SECT. 32 revised, 1973, 1114 § 314. (See 1973, 1114 § 351.)
SECT. 33 amended, 1970, 595 § 1; 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.
SECTS. 44-47 revised, 1979, 722.
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; subsection (*f*) added, 1979, 166. (See 1973, 629 § 6.)

SECT. 13K added, 1974, 460 (regulating the termination of certain personal service contracts); amended, 1978, 533 § 1.

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; amended, 1980, 572 § 401; sixth sentence revised, 1969, 792 § 1; 1980, 572 § 402; two sentences added, 1975, 187 § 3; last sentence amended, 1980, 572 § 403. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; first paragraph, fourth sentence revised, 1980, 572 § 404; paragraph added, 1975, 170 § 3; last sentence revised, 1978, 346 § 3. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; sentence added, 1979, 47; revised, 1980, 25.

SECT. 14,first paragraph revised, 1980, 136 § 1; second paragraph revised, 1969, 517 § 11. (See 1980, 136 § 2.)

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; section 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); revised, 1978, 429.

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; 1980, 572 § 405; fifth paragraph revised, 1969, 793 § 2; first sentence amended, 1980, 572 § 406. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; 1978, 346 § 4; second sentence revised, 1980, 572 § 407; second paragraph, sentence added, 1975, 88 § 2. (See 1972, 684 § 136; 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 7 revised, 1969, 517 § 18.

SECT. 10, paragraph added, 1975, 170 § 4.

SECT. 11 amended, 1967, 612; revised, 1969, 793 § 4; first paragraph revised, 1980, 572 § 408; second paragraph amended, 1980, 572 § 409. (See 1980, 572 § 417.)

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; definition 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; definition 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; stricken out and two sentences inserted, 1980, 572 § 410; two sentences added, 1975, 187 § 5; last sentence amended, 1980, 572 § 411. (See 1973, 1149 § 33; 1980, 572 § 417.)

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; fourth sentence revised, 1978, 346 § 5; 1980, 572 § 412; paragraph added, 1975, 170 § 5. (See 1973, 1149 § 33; 1980, 572 § 417.)

SECT. 5 amended, 1973, 1149 § 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 D ½ inserted, 1975, 90 § 6; revised, 1979, 252 § 3; subsection E amended, 1969, 517 § 33; subsection F amended, 1967, 775 § 4.

SECT. 10, clause (1) amended, 1969, 517 § 34; clause (4) amended, 1969, 517 § 35; clause (9) revised, 1968, 543 § 2.

SECT. 10A added, 1978, 490 (prohibiting discrimination against a cash buyer).

SECT. 11, subsection B amended, 1969, 517 § 36; revised, 1980, 470 § 1; 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, 1969, 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 B, clause (6) revised, 1979, 252 § 4; 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 stricken out and new chapter 258 (with new title) inserted, 1978, 512 § 15. (See 1978, 512 § 16.)

For prior changes see Table of Changes contained in Acts and Resolves of 1977.

SECT. 1, definition of "Public employer", sentence added, 1980, 151; definition of "Public employer" revised, 1980, 315 § 1.

SECT. 9, paragraph added, 1980, 315 § 2.

SECT. 12 added, 1979, 1 § 1 (relative to claims against the commonwealth not arising in tort). (See 1979, 1 § 3.)

SECT. 13 added, 1979, 396 § 1 (indemnifying certain elected or appointed municipal officials). (See 1979, 396 § 3.)

Chapter 258A. — Compensation of Victims of Violent Crimes.

New chapter inserted, 1967, 852 § 1. (See 1967, 852 § 4.)

SECT. 3, second paragraph revised, 1980, 459 § 1.

SECT. 5, first paragraph, sentence inserted after second sentence, 1980, 459 § 2; second paragraph amended, 1980, 459 § 3.

SECT. 6, first paragraph amended, 1978, 478 § 267. (See 1978, 478 § 343.)

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.)

SECTS. 23-27 repealed, 1979, 402 § 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. 27A revised, 1980, 539 § 5.

SECT. 27B, first paragraph amended, 1977, 142; section revised, 1978, 478 § 268; 1979, 344 § 15; 1980, 539 § 6. (See 1978, 478 § 343; 1979, 344 § 51; 1980, 539 § 14.)

SECTS. 27C-27G revised, 1978, 478 § 269. (See 1978, 478 § 343.)

SECT. 27C revised, 1980, 539 § 7.

SECT. 27D revised, 1980, 539 § 8.

SECT. 27G, first sentence revised, 1980, 539 § 9.

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; 1980, 539 § 10. (See 1939, 345 § 3; 1954, 328 § 4, 556 §§ 8, 10;

SECT. 3 revised, 1961, 343 § 2; 1978, 478 § 270. (See 1978, 478 § 343.)

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; section stricken out and sections 4, 4A and 4B added, 1980, 539 § 11. (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; subdivision A revised, 1980, 321.

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; section revised, 1978, 478 § 271. (See 1945, 236 § 2; 1977, 415 § 14; 1978, 478 § 343.)

SECT. 26 revised, 1978, 478 § 272. (See 1978, 478 § 343.)

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; paragraph added, 1979, 344 § 16. (See 1979, 344 § 51.)

SECT. 32 revised, 1935, 280; 1978, 478 § 273. (See 1978, 478 § 343.)

SECT. 34 amended, 1933, 21; revised, 1948, 550 § 1; amended, 1980, 329 § 73; clauses (5)-(10), (26), (37)-(41), (70), (71), (73) and (77) stricken out, 1949, 297 § 1; clauses (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; clauses (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; 1980, 329 § 134.)

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; section revised, 1980, 572 § 413. (See 1972, 684 § 136; 1976, 486 § 31; 1980, 572 § 417.)

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; revised, 1980, 539 § 12. (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; 1980, 539 § 13. (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; first sentence amended, 1980, 572 § 414. Ssee 1980, 572 § 417.)

SECT. 44A added, 1976, 486 § 27 (relative to fees for certified copies of certain records). amended, 1980, 572 § 415. (See 1976, 486 § 31; 1980, 572 § 417.)

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; revised, 1978, 478 § 274. (See 1978, 478 § 343.)

SECT. 51 revised, 1951, 605; amended, 1958, 48 § 5; revised, 1978, 478 § 275. (See 1978, 478 § 343.)

SECT. 52 repealed, 1978, 478 § 276. (See 1978, 478 § 343.)

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; revised, 1978, 478 § 277. (See 1978, 478 § 343.)

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; paragraph added, 1979, 344 § 17. (See 1953, 319 §§ 39, 40; 1971, 843 § 27; 1973, 591 § 22; 1979, 344 § 51.)

SECT. 4A added, 1934, 358 (expediting the arraignment of persons charged with crimes not punishable by death by permitting them to waive indictment proceedings); revised, 1979, 344 § 18. (See 1979, 344 § 51.)

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; 1979, 344 § 19. (See 1933, 24 § 2; 1971, 843 § 27; 1973, 591 § 22; 1979, 344 § 51.)

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; first two sentences stricken out and sentence inserted, 1979, 488 § 2; 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; revised, 1980, 459 § 4.

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. 13H added, 1980, 459 § 5 (providing for graduated sentencing and victim compensation for the crime of rape and related offenses).

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; 1980, 459 § 6.

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; 1978, 379 § 1; 1980, 459 § 7. (See 1980, 459 § 11.)

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; 1978, 379 § 2. (See 1973, 925 § 84.)

SECT. 25 revised, 1932, 211; 1953, 294.

SECT. 26 amended, 1934, 1; revised, 1971, 900; amended, 1979, 465 § 1.

SECT. 26A added, 1979, 465 § 2 (imposing a penalty for custodial interference).

SECT. 27 amended, 1979, 465 § 3.

SECT. 27A added, 1979, 465 § 4 (relative to trial venue).

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).

SECT. 37 added, 1979, 801 § 2 (protecting the civil rights of persons in the commonwealth).

SECT. 38 added, 1980, 479 § 2 (relative to abuse of patients or residents of long-term care facilities).

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; seven paragraphs added, 1980, 463 § 3.

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.

SECTS. 28-29A stricken out and sections 28 and 29 inserted, 1980, 463 § 4.

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).

SECTS. 67A-67B added, 1980, 531 § 2 (establishing civil and criminal remedies for certain fraudulent acts affecting the commonwealth and commercial bribery).

SECT. 67B added, 1980, 531 § 2

SECT. 67C added, 1980, 579 § 67 (improving the system of public construction). (See 1980, 579 § 66.)

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; revised, 1979, 184.

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. 111B added, 1980, 463 § 5 (facilitating the investigation and prosecution for motor vehicle theft or fraudulent insurance claims).

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; revised, 1978, 447 § 3; 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. 127 revised, 1978, 544.

SECT. 129 revised, 1955, 770 § 79. (See 1955, 770 §§ 117, 123.)

SECT. 130 revised, 1955, 770 § 80. (See 1955, 770 §§ 117, 123.)

SECT. 134 repealed, 1962, 285 § 3.

SECT. 135 revised, 1978, 478 § 278. (See 1978, 478 § 343.)

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; 1979, 792.

SECT. 139A added, 1974, 434 (providing criminal penalties for the alteration or obliteration of identifying numbers of certain machines or devices or for the sale or attempted sale of such machines or devices).

SECT. 140 added, 1966, 269 § 2 (making the sale of certain master keys which fit more than one motor vehicle a crime); amended, 1968, 90.

SECT. 141 added, 1966, 468 (penalizing the turning back or readjusting of the speedometer or odometer of motor vehicles for the purpose of misrepresenting to purchasers the number of miles traveled by such vehicles); stricken out and sections 141-141A added, 1973, 456 (providing a civil remedy and increasing the criminal penalty against persons tampering with automobile odometers).

SECT. 142 added, 1971, 36 (requiring scrap copper wire dealers to keep records of purchases).

SECT. 142A added, 1980, 400 (relative to the purchase orsale of gold, silver and platinum).

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. 6 amended, 1978, 514 § 232. (See 1978, 514 § 287.)

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; amended, 1979, 485 § 41. (See 1955, 770 §§ 117, 123.)

SECT. 27 amended, 1934, 328 § 25.

SECT. 28 amended, 1955, 770 § 85; revised, 1957, 777 § 34; 1965, 407; amended, 1979, 485 § 42. (See 1955, 770 §§ 117, 123.)

SECT. 29 amended, 1934, 328 § 26; 1955, 770 § 86; amended, 1979, 485 § 43. (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; amended, 1979, 485 § 44. (See 1955, 770 §§ 117, 123.)

SECT. 32 amended, 1970, 278; paragraph added, 1979, 205.

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.)

SECT. 37 added, 1980, 463 § 6 (facilitating the investigation and prosecution for motor vehicle theft and fraudulent insurance claims).

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. 4, fifth paragraph revised, 1978, 210 § 4; ninth paragraph amended, 1978, 210 § 5; paragraph added, 1980, 10 § 1. (See 1978, 210 § 22; 1980, 10 § 3.)

SECT. 5, clause (*d*) stricken out and clauses (*d*) and (*e*) inserted, 1978, 210 § 6; third paragraph amended, 1978, 210 § 8; last paragraph stricken out, 1978, 210 § 7. (See 1978, 210 §§ 22, 27.)

SECT. 6, second paragraph revised, 1978, 210 § 9. (See 1978, 210 § 22.)

SECT. 6A added, 1978, 210 § 10 (relative to reporting of certain potential conflicts of interest). (See 1978, 210 § 22.)

SECT. 7, third paragraph amended, 1978, 210 § 11; paragraph added, 1968, 446; paragraph inserted after fourth paragraph, 1980, 303. (See 1978, 210 § 22.)

SECT. 8A added, 1964, 314 (prohibiting members of state commissions or boards from being appointed by the other members thereof to certain positions).

SECT. 9, second paragraph revised, 1978, 210 § 12. (See 1978, 210 § 22.)

SECT. 10 revised, 1978, 210 § 13. (See 1978, 210 § 22.)

SECT. 11, eighth paragraph amended, 1978, 210 § 14; paragraph added, 1980, 10 § 2. (See 1978, 210 § 22; 1980, 10 § 3.)

SECT. 12, third paragraph amended, 1978, 210 § 15. (See 1978, 210 § 22.)

SECT. 13, second paragraph revised,1978, 210 § 16. (See 1978, 210 § 22.)

SECT. 14, third paragraph amended, 1978, 210 § 17. (See 1978, 210 § 22.)

SECT. 15, paragraph (*b*) revised, 1978, 210 § 18. (See 1978, 210 § 22.)

SECT. 15A added, 1967, 887 § 1 (prohibiting members of county commissions to be appointed to other positions by other members of said commissions).

SECT. 16 repealed, 1978, 210 § 19. (See 1978, 210 § 22.)

SECT. 19, paragraph (*b*) revised, 1965, 395.

SECT. 20, third paragraph amended, 1979, 135.

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 268B. — Financial Disclosure by certain Public Officials and Employees.

New chapter inserted, 1978, 210 § 20. (See 1978, 210 § 22.)

SECT. 1, clause(*o*) amended, 1980, 256 § 2.

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; second sentence amended, 1978, 175 § 1; subsection (*b*) revised, 1975, 585 § 1; subsection (*c*) amended, 1978, 175 § 2; 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; 1978, 379 § 3.

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; 1979, 381. (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; first paragraph revised, 1979, 105; last paragraph, first sentence stricken out and two sentences inserted, 1979, 103.

SECT. 16A added, 1971, 358 (providing an alternative non-criminal disposition of violations of the anti-litter laws); amended, 1973, 1107; fourth paragraph amended, 1978, 478 § 279. (See 1978, 478 § 343.)

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); repealed, 1979, 704 § 3. (See 1979, 704 § 10.)

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; paragraph inserted after first paragraph, 1979, 373.

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; 1979, 280; 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. 36 amended, 1978, 514 § 233. (See 1978, 514 § 287.)

SECT. 39 revised, 1980, 531 § 3.

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; sentence added, 1978, 367 § 54E. (See 1978, 367 § 72.)

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.

SECTS. 1-3 revised, 1978, 379 § 4.

SECTS. 4A-4B added, 1979, 676 (establishing a mandatory prison term for one who induces a minor to become a prostitute).

SECT. 5 revised, 1948, 137; 1977, 588; 1979, 305.

SECT. 6 revised, 1978, 379 § 5; 1979, 472; paragraph added, 1980, 409.

SECT. 7 revised, 1977, 589. 1980, 409.

SECT. 9 amended, 1959, 313 § 9; revised, 1978, 379 § 6.

SECT. 12 amended, 1969, 59 § 3.

SECTS. 12-14 revised, 1978, 379 § 7.

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); amended, 1978, 469.

SECT. 42A added, 1978, 563 (prohibiting certain picketing).

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; revised, 1979, 220.

SECT. 73A added, 1973, 448 (authorizing the removal of gravestones and memorials for repair or reproduction).

SECT. 75 amended, 1971, 407.

SECT. 77 amended, 1968, 59; revised, 1972, 46; 1977, 921 § 2.

SECT. 77A added, 1978, 287 (providing a penalty for injuring police dogs and horses).

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. 80G added,1979, 426 (requiring the operator of a motor vehicle which strikes and injures or kills a dog to report it). stricken out and section 80H inserted, 1980, 261 § 28.

SECT. 80G added, 1979, 439 § 2 (regulating the use of live vertebrate for experimental or exhibitional purposes in certain schools).

SECT. 84 amended, 1951, 34 § 1.

SECT. 85 repealed, 1951, 34 § 2.

SECT. 85A added, 1945, 276 § 1 (relative to killing, etc., of dogs and other domesticated animals and certain birds); first sentence amended, 1951, 185.

SECT. 90 amended, 1959, 313 § 14.

SECT. 91 amended, 1959, 313 § 15.

SECT. 92A added, 1933, 117 (preventing advertisements tending to discriminate against persons of any religious sect, creed, class, denomination or nationality by places of public accommodation, resort or amusement); second paragraph revised, 1953, 437; section revised, 1971, 418 § 1; amended, 1975, 338 § 1; amended, 1979, 595 § 1; second paragraph, clause (10) revised, 1978, 331.

SECT. 94 amended, 1975, 31 § 1; revised, 1978, 111.

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; 1979, 595 § 2.

SECT. 98A added, 1938, 155 § 1 (entitling blind persons accompanied by "seeing eye" dogs, so called, to certain accommodations, advantages, etc.); revised, 1978, 93, 458 § 2; amended, 1980, 71.

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; 1978, 552 § 42.

SECT. 4 amended, 1959, 313 § 16; revised, 1977, 848 § 3.

SECT. 5 revised, 1977, 848 § 3; 1978, 552 § 43; paragraph added, 1979, 522 § 4; two sentences inserted after first sentence, 1979, 621 § 1.

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; sentence inserted after second sentence, 1979, 621 § 2.

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 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; 1978, 552 § 42.

SECT. 4 amended, 1959, 313 § 16; revised, 1977, 848 § 3.

SECT. 5 revised, 1977, 848 § 3; 1978, 552 § 43; paragraph added, 1979, 522 § 4; two sentences inserted after first sentence, 1979, 621 § 1.

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; sentence inserted after second sentence, 1979, 621 § 2.

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. 1 definition of "State" revised, 1979, 452.

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.

SECTS. 12-14 repealed, 1979, 344 § 6. (See 1979, 344 § 51.)

SECT. 15, first and second paragraphs revised, 1957, 110 § 1; 1965, 20 § 1.

SECT. 15A added, 1957, 110 § 2 (excusing petitioners in proceedings under the uniform reciprocal enforcement of support act from payment of entry fees and costs in certain cases); revised, 1965, 20 § 2.

Chapter 274. — Felonies, Accessories and Attempts to Commit Crimes.

SECT. 2 revised, 1968, 206 § 1; 1973, 529 § 1.
SECT. 3 revised, 1968, 206 § 2; 1973, 529 § 2.
SECT. 4 revised, 1943, 488 § 1. (See 1943, 488 §§ 2, 3.)
SECT. 7 added, 1968, 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. 9 amended, 1978, 478 § 280. (See 1978, 478 § 343.)
SECT. 10 amended, 1978, 478 § 281. (See 1978, 478 § 343.)
SECT. 11 amended, 1978, 478 § 282. (See 1978, 478 § 343.)
SECT. 13 amended, 1978, 478 § 283. (See 1978, 478 § 343.)
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; 1979, 728.

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. 20M revised, 1978, 478 § 284. (See 1978, 478 § 343.)

SECT. 21 amended, 1953, 319 § 32. (See 1953, 319 §§ 39, 40.)

SECT. 22 amended, 1959, 313 § 21; revised, 1979, 344 § 20. (See 1979, 344 § 51.)

SECT. 24 revised, 1973, 566; 1979, 344 § 21. (See 1979, 344 § 51.)

SECT. 25 revised, 1967, 338; 1968, 698; 1979, 344 § 22. (See 1979, 344 § 51.)

SECT. 28 amended, 1949, 184; first sentence revised, 1978, 447 § 4.

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; repealed, 1979, 344 § 23. (See 1979, 344 § 51.)

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; revised, 1978, 478 § 285; first sentence revised, 1979, 344 § 24. -For prior legislation, see G.L. chapter 277 §§ 48, 49, repealed, 1932, 180 § 44. (See 1978, 478 § 343; 1979, 344 § 51.)

SECT. 39 repealed, 1979, 344 § 25. (See 1979, 344 § 51.)

SECT. 42A added, 1978, 447 § 5 (permitting petition to be filed before any available court justice who may grant relief to plaintiff when the court is unavailable after the close of business at the end of the week).

SECT. 44 amended, 1959, 313 § 24.

SECT. 47 revised, 1967, 380.

SECT. 50 repealed, 1979, 344 § 25. (See 1979, 344 § 51.)

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; sixth paragraph revised, 1978, 478 § 286. (See 1970, 499 § 4; 1978, 478 § 343.)

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 sentences inserted, 1970, 499 § 2; section revised, 1971, 473 § 2; amended, 1978, 478 § 287. (See 1970, 499 § 4; 1978, 478 § 343.)

SECT. 68, second sentence revised, 1962, 356; 1964, 316; 1970, 499 § 3. (See 1970, 499 § 4.)

SECT. 78 revised, 1978, 478 § 288. (See 1978, 478 § 343.)

SECT. 79 amended, 1959, 313 § 26.

SECT. 80 amended, 1959, 313 § 27; revised, 1978, 478 § 289. (See 1978, 478 § 343.)

SECT. 82 amended, 1979, 344 § 26. (See 1979, 344 § 51.)

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; 1978, 364 § 65; 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; section revised, 1978, 478 § 290; second paragraph revised, 1979, 393 § 71A. (See 1949, 783 §§ 3, 4; 1951, 774 § 3; 1955, 735 § 3; 1956, 263, 731 §§ 29-33; 1970, 875 § 8; 1978, 367 § 72, 478 § 343; 1979, 393 § 73.)

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; revised, 1978, 71 § 1; section revised, 1978, 478 § 291. (See 1947, 655 § 3; 1956, 731 §§ 29-33; 1978, 71 § 2, 478 § 343.)

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; section revised, 1978, 478 § 292. (See 1956, 731 §§ 29-33; 1978, 478 § 343.)

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; last paragraph revised, 1978, 45; section revised, 1978, 478 § 292. (See 1956, 731 §§ 29-33; 1959, 526 § 2; 1978, 478 § 343.)

SECT. 89A added, 1967, 401 (authorizing appointment of unpaid deputy probation officers to serve as counsellors to juvenile offenders); revised, 1978, 478 § 292. (See 1978, 478 § 343.)

SECT. 90 amended, 1938, 174 § 3.

SECT. 92A added, 1980, 463 § 7 (facilitating the investigation and prosecution for motor vehicle theft and fraudulent insurance claims).

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.

SECTS. 93-95 revised, 1978, 478 § 293. (See 1978, 478 § 343.)

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; section revised, 1978, 478 § 294. (See 1956, 731 §§ 29-33; 1969, 766 § 48; 1970, 875 § 8; 1978, 478 § 343.)

SECT. 99, sentence inserted after third sentence, 1952, 348; section revised, 1956, 731 § 20; first paragraph, sixth sentence revised, 1972, 396 § 2; section revised, 1978, 478 § 294. (See 1956, 731 §§ 29-33; 1978, 478 § 343.)

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; section revised, 1978, 478 § 294. (See 1956, 731 §§ 29-33; 1970, 875 § 8; 1978, 478 § 343.)

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; amended, 1979, 393 § 71B; § 71C; subdivision (5), sentence added, 1978, 478 § 295. (See 1970, 875 § 8; 1971, 909 § 5; 1972, 600 § 3; 1973, 772 § 4; 1974, 558 § 20; 1977, 234 § 198, 872 § 204; 1978, 478 § 343;1979, 393 § 73.)

SECT. 99C added, 1972, 680 (authorizing the appointment of three supervisors of court probation services and certain clerical assistants); first paragraph revised, 1977, 785; section repealed, 1978, 478 § 296. (See 1978, 478 § 343.)

SECT. 99D added, 1979, 393 § 71D (relative to the salaries of chief probation officers). (See 1979, 393 § 72.)

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; 1978, 478 § 297. (See 1956, 731 §§ 29-33; 1978, 478 § 343.)

SECT. 102 amended, 1947, 364 § 2; 1956, 731 § 25. (See 1956, 731 §§ 29-33.)

SECT. 103 revised, 1956, 731 § 26; 1978, 141. (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; 1978, 323 § 1; first sentence revised, 1979, 344 § 27. (See 1964, 326 §§ 3-5; 1966, 415 §§ 6, 7; 1973, 464 § 6; 1977, 315 § 5; 1979, 344 § 51.)

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; 1979, 130 § 1; 344 § 28 (See 1966, 415 §§ 6, 7; 1979, 344 § 51.)

SECT. 2A revised, 1966, 235 § 3, 415 § 3; sentence added, 1977, 415 § 310; first sentence amended, 1979, 344 § 29. (See 1966, 415 §§ 6, 7; 1977, 415 § 14; 1979, 344 § 51.)

SECT. 2B added, 1964, 326 § 2 (providing that grand jurors in Middlesex county shall serve for a term of six months); revised, 1966, 235 § 4, 415, § 4; 1977, 415 § 11. (See 1964, 326 §§ 3-5.) (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); amended, 1979, 344 § 30. (See 1973, 464 § 6; 1979, 344 § 51.)

SECT. 2D added, 1975, 809 § 2 (providing that grand jurors in Plymouth county serve for four months); amended, 1979, 344 § 31. (See 1979, 344 § 51.)

SECT. 2E added, 1977, 315 § 2 (providing that grand jurors in Worcester county serve for six months); revised, 1978, 518 § 1; 1979, 130 § 2; amended, 1979, 344 § 32; 1980, 261 § 29. (See 1977, 315 § 5; 1978, 518 § 2; 1979, 344 § 51.)

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); amended, 1979, 344 § 32. (See 1979, 344 § 32.)

SECT. 2G added, 1978, 323 § 2 (relative to issuing writs of venire facias); revised, 1979, 344 § 32A. (See 1979, 344 § 51).

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. 4 sentence added, 1977, 415 § 13. (See 1977, 415 § 14.)

SECTS. 7-10 repealed, 1979, 344 § 33. (See 1979, 344 § 51).

SECTS. 12-13 repealed, 1979, 344 § 33. (See 1979, 344 § 51).

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. 17 repealed, 1979, 344 § 33. (See 1979, 344 § 51.)

SECT. 34 revised, 1979, 344 § 34. (See 1979, 344 § 51.)

SECT. 35A repealed, 1979, 344 § 35. (See 1979, 344 § 51.)

SECT. 38 amended, 1957, 660 § 5; revised, 1971, 1071 § 8. amended, 1979, 344 § 36. (See 1957, 660 §§ 6, 7; 1971, 1071 § 9; 1979, 344 § 51.)

SECT. 39, definition of "adultery" revised, 1978, 379 § 8; definition of "Aggravated Rape added, 1980, 459 § 8; definition of "fornication" revised, 1978, 379 § 9; definition of "Rape" revised, 1974, 474 § 7. (See 1980, 459 § 11.)

SECT. 40 repealed, 1979, 344 § 37. (See 1979, 344 § 51.)

SECT. 46 repealed, 1979, 344 § 37. (See 1979, 344 § 51.)

SECT. 47, amended, 1979, 344 § 38. (See 1979, 344 § 51.)

SECT. 47A added, under caption, 1965, 617 § 1 (providing for the simplification of pleadings in criminal cases); fourth paragraph amended, 1965, 756 § 1; second sentence revised, 1978, 478 § 298; revised, 1979, 344 § 39. (See 1965, 617 §§ 2, 3, 756 § 3; 1978, 478 § 343; 1979, 344 § 51.)

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. 51 AND 52 repealed, 1979, 344 § 40. (See 1979, 344 § 51.)

SECT. 53 revised, 1979, 344 § 41. (See 1979, 344 § 51.)

SECT. 56 revised, 1978, 478 § 299. (See 1978, 478 § 343.)

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. 69 repealed, 1979, 344 § 42. (See 1979, 344 § 51.)

SECT. 70A repealed, 1979, 344 § 42. (See 1979, 344 § 51.)

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; amended, 1979, 485 § 45.

SECT. 71-72A repealed, 1979, 344 § 42. (See 1979, 344 § 51.)

SECT. 73 revised, 1978, 478 § 300. (See 1978, 478 § 343.)

SECT. 74-77 repealed, 1979, 344 § 42. (See 1979, 344 § 51.)

SCHEDULE OF FORMS OF PLEADINGS at end of chapter amended, 1934, 328 § 29; paragraph entitled "Abduction" revised, 1978, 379 § 10; paragraph entitled, "Accessory after the fact" amended by striking out all after word "punishment" in line 5, 1943, 488 § 2; paragraph entitled "Adultery" revised, 1978, 379 § 11; paragraph entitled "Aggravated rape" added, 1980, 459 § 9; paragraphs entitled "Assault to rape" revised, 1978, 379 § 12; paragraph entitled "Escape" revised, 1955, 770 § 90; paragraph entitled "Fornication" revised, 1978, 379 § 13; paragraph entitled "Illegitimacy" stricken out, 1978, 379 § 14; paragraph entitled "Manslaughter by negligence" revised, 1978, 379 § 15; paragraph entitled "Neglect of wife or minor child" revised, 1978, 379 § 16; paragraphs entitled "Polygamy" revised, 1978, 379 § 18; paragraph entitled "Prostitute", inserted, 1959, 304 § 2; revised, 1978, 379 § 17; paragraphs entitled "Rape" revised, 1978, 379 § 19; 1980, 459 § 10. (See 1943, 488 § 3; 1955, 770 §§ 117, 123; 1980, 459 § 11.)

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 1 amended, 1974, 228.

SECT. 2A added, 1968, 721 § 2 (relating to trials for criminal conspiracy); repealed, 1979, 344 § 43. (See 1979, 344 § 51.)

SECT. 3 repealed, 1979, 344 § 43. (See 1979, 344 § 51.)

SECT. 6 repealed, 1979, 344 § 43. (See 1979, 344 § 51.)

SECT. 6A added, 1980, 463 § 8 (relative to certain testimony at the arraignment of a defendant).

SECT. 11, two paragraphs added, 1963, 569; second paragraph amended, 1964, 108 § 1; third paragraph amended, 1964, 108 § 2; section revised, 1979, 344 § 43A. (See 1979, 344 § 51.)

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. 16C added, 1978, 316 (relative to protecting the parties at a rape or incest trial).

SECT. 17 amended, 1978, 478 § 301; repealed, 1979, 344 § 43B. (See 1978, 478 § 343; 1979, 344 § 51.)

SECT. 18 amended, 1955, 131 § 8; revised, 1973, 657; amended, 1974, 167; revised, 1978, 478 § 302. (See 1978, 478 § 343.)

SECT. 18A added, 1966, 697 § 2 (providing for a jury trial for misdemeanors in the municipal court of the city of Boston); repealed, 1978, 478 § 303. (See 1978, 478 § 343.)

SECT. 19 amended, 1955, 131 § 9.

SECT. 20 amended, 1974, 827 § 29; revised, 1978, 478 § 304. (See 1978, 478 § 343.)

SECT. 21 stricken out, 1955, 131 § 10.

SECT. 22 amended, 1955, 131 § 11.

SECT. 25 amended, 1937, 311; 1955, 131 § 12.

SECTS. 22-25 revised, 1978, 478 § 305. (See 1978, 478 § 343.)

SECT. 27 revised, 1962, 480; repealed, 1979, 344 § 43B. (See 1979, 344 § 51.)

SECT. 28 revised, 1979, 344 § 44. (See 1979, 344 § 51.)

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; third and fourth paragraphs revised, 1978, 478 § 306. (See 1945, 255 § 4; 1978, 478 § 343.)

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; 1978, 478 § 307. (See 1978, 478 § 343.)

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; revised, 1979, 344 § 45. (See 1979, 344 § 51.)

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.)

SECTS. 29-29A repealed, 1979, 344 § 46. (See 1979, 344 § 51.)

SECT. 29B added, 1962, 262 § 1 (authorizing a defendant in a districtcourt to withdraw a plea of guilty before sentence is imposed if he was not represented by counsel when such plea was entered); revised, 1979, 344 § 47. (See1979, 344 § 51.)

SECT. 29C added, 1962, 310 § 2 (extending the power of the superior court to revoke or revise sentences).

SECT. 29D added, 1978, 383 (relative to conviction upon plea of guilty or nolo contendere).

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.)

SECTS. 29C-31C, inclusive, repealed, 1979, 344 § 48. (See 1979, 344 § 51.)

SECT. 32A added, 1964, 634 § 1 (allowing for the late entry of certain appeals).

SECT. 33 amended, 1933, 265; revised, 1973, 1114 § 350; 1978, 478 § 308. (See 1973, 1114 § 351; 1978, 478 § 343.)

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.

SECTS. 32-33D, inclusive, repealed, 1979, 346 § 1. (See 1979, 346 § 4.)

SECT. 33E amended, 1939, 341; first paragraph amended, 1974, 457; second paragraph amended, 1962, 453; first and second paragraphs stricken out and paragraph inserted, 1979, 346 § 2. (See 1979, 346 § 4.)

SECT. 33H added, 1964, 634 § 2 (providing for the late entry of certain appeals in criminal cases in the supreme judicial court).

SECTS. 33F-33H, repealed, 1979, 346 § 3. (See 1979, 346 § 4.)

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; amended, 1978, 428 § 309. (See 1934, 205 § 3; 1978, 478 § 343.)

SECT. 2 amended, 1949, 584; revised, 1969, 838 § 64. (See 1969, 838 § 74.)

SECT. 3, first sentence revised, 1972, 251; section revised, 1974, 300; paragraph added, 1978, 478 § 310. (See 1978, 478 § 343.)

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; revised, 1979, 344 § 49; second paragraph amended, 1955, 770 § 92; revised, 1957, 777 § 37. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123; 1979, 344 § 51.)

SECT. 4A, sentence added, 1950, 145 § 2; 1968, 333 § 1; repealed, 1979, 344 § 50. (See 1979, 344 § 51.)

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, 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; amended, 1979, 485 § 46. (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.)

SECTS. 53-56 added, 1979, 488 § 3 (relative to the imposition of the death penalty).

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; section revised, 1978, 478 § 311. last sentence stricken out and two sentences inserted, 1980, 329 § 93. (See 1934, 364 § 3; 1935, 303 § 2; 1953, 319 §§ 39, 40; 1978, 478 § 343; 1980, 329 § 134.)

SECT. 4, paragraph added, 1974, 694 § 5; section revised, 1978, 478 § 312. (See 1974, 694 § 6; 1978, 478 § 343.)

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.)

SECTS. 7-11 revised, 1978, 478 § 313. (See 1978, 478 § 343.)

SECT. 8 revised, 1979, 485 § 47.

SECT. 13 revised, 1978, 478 § 314. (See 1978, 478 § 343.

SECT. 14 amended, 1979, 485 § 48.

SECT. 15 revised, 1978, 478 § 315; 1979, 485 § 49. (See 1978, 478 § 343.)

SECT. 16 amended, 1953, 319 § 38; revised, 1978, 478 § 316. (See 1953, 319 §§ 39, 40; 1978, 478 § 343.)

SECT. 26, eighth paragraph revised, 1979, 416 § 1.